

# THE JOURNAL OF THE INSTITUTE OF BANGLADESH STUDIES

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**MAHMUD SHAH QURESHI**  
**Executive Editor**

**INSTITUTE OF BANGLADESH STUDIES  
RAJSHAHI UNIVERSITY**



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### **In Memoriam**

The current number of the Journal of the Institute of Bangladesh Studies is being fondly dedicated to the memory of Syed Abdul Qadir and Safiuddin Joardar who, from the beginning years helped grow the Institute what it is now. Needless to say that nationally they were pioneers and internationally eminent scholars in their respective fields of studies. They would be remembered by the present and the coming generations of researchers for the outstanding works they left.

M.S.Q.



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P. C. Sarkar	Assistant Professor, Department of Social Work, Rajshahi University
M. S. Atabuddin	Assistant Professor, Department of Political Science, University of Chittagong



# S.A. Qadir: A Biographical Profile

Mahmud Shah Qureshi

Professor Syed Abdul Qadir succumbed to a sudden death which none could predict, not even his nearest one, Begum Raushan. On the night of 7th October, 1986 while recovering from a little cold fever, he had a severe heart attack. There was even no time to make him hospitalized. We thus lost an accomplished academician and an imaginative administrator whose memory will certainly last long.

Syed Abdul Qadir was a foremost social scientist of Bangladesh besides being a hard-working, humble and caring human being. In January, 1974 he was appointed as the first director of the newly created Institute of Bangladesh Studies at the University of Rajshahi. By mid-1977 he left the Institute as the call for creating a new centre of research was irresistible to him. This had been happening with him constantly. But this time he could boast that he was leaving the infant Institute in a stronger footing soon to be recognized as a very important seat of advanced learning and research in the country.

S.A. Qadir is both fortunate and unfortunate in his career; he had the good fortune to be a pioneer in the creation of many new institutions; but, the efforts in these tasks took so much of his time and energy that, finally, he felt that he was deceiving himself by not doing solid researches in his own area of specialisation. Thus, despite an apparently successful career he appears to many as an unhappy prince of Bangladesh social studies.

Born in 1931, he lost his father, Syed Mushahebuddin Ahmed of old Choudhuripara at Comilla town while he was only ten years old. His mother died in 1958. He was the youngest boy among seven brothers and sisters born of, in his own language, "feudal-type middle class parents".\* Although he studied in 8 different schools for 10 classes of the prevailing secondary education system, he could manage to secure top positions in all the classes. During his student life he experienced from a close quarter the most critical days of the 20th century South Asian history (Bengal Famine, World War II, Hindu Muslim Conflict, Transfer of Power by the British Colonial Rulers, etc.). He studied for a year at



Calcutta Presidency College but the riot and partition ultimately compelled him to leave that prestigious institution. Before his entrance into the University of Dhaka, twice he was under custody of police, both in Calcutta and Dhaka for minor political activities.

He studied Statistics with honours having Mathematics and Geography as subsidiary subjects. Now he faced another crisis in his life; this was in his own words, "Overwork, exhaustion from diverse interests—UOTC cadetship being one—coupled with austere living soon contributed to a serious attack of illness, which made me bed-ridden almost to the point of death, and snatched off two years of the University."\* Consequently his university education was completed with rather mediocre results than he himself would allow. At one point, he also took up a part-time assignment in the daily *Sangbad* and suffered the hard life of an apprentice sub-editor. Soon he got the opportunity to taste the honey of research, first, as an investigator in a Unesco project, *Social and Economic Impact of Technological Change in Pakistan*; second, as a research assistant in an Asia Foundation project, *Employment Position of Middle Class Muslim Women in East Pakistan*—both under the direction of Professor A.F.A. Hussain who was recently made a National Professor but died few months after his ardent assistant, S.A. Qadir. At this time a new 9-month training course was conducted under the joint sponsorship of the UN and the Govt. of Pakistan to produce graduate professional social workers. Then, for 26 days he was on the pay roll of Central Statistical Office at Karachi, and then joined the Ministry of Labour as Welfare Officer for the administration of Staff Welfare Fund in East Pakistan. Another 4 months he spent to conduct a survey at Dhaka and in October 1956, he left the job to become an Asstt. Research Officer in the newly set-up Unesco Research Centre for Social Implications of Industrialization in Southern Asia. He shifted to Calcutta where this Centre was located. The experiences of the Centre was very helpful in the leadership Qadir provided later on in the institutions he worked for. He had exposure to the everexpanding and inter-disciplinary aspects of social sciences and to be acquainted personally with the personalities like P.C. Mahalanobis, T.H. Marshall, Alva Myrdal, J.D.N Versulya, C.N. Vakil, etc. Leaving the glamour of the status of a future International Civil Servant, Qadir soon returned home to found the College of Social Welfare and became its first Principal. But quickly he was transferred to Karachi to start a similar institution there. And in early 1959, he once again changed the course of his life. He now joined as Research Specialist in the Central Office of the Pakistan Academies for Village Development. This gave him a high status in service and job satisfaction in the way of arriving to his central line of action in later life. After some six months in West Pakistan,



he remained attached to the Village Academy at Comilla. There he completed his famous work on the village Dhanishwar (a list of his publications is attached in the appendix). This provided the study of three generations of man-land adjustment in a Bangladesh village. He also contributed for the first issue of the Academy Journal, a paper on supervised credit.

For two years from 1961, he busied himself in the group research on a *Demographic Survey*, prepared at the Dhaka University Statistical Survey Research Unit. In 1963 he went to the U.S. and studied Rural Sociology at the Cornell University. The theme of his doctoral dissertation concerns with the modernization of the Philipinese rural society.

On return home he took up the charge to create the Department of Rural Sociology at the Bangladesh Agricultural University, Mymensingh and became its Reader. Besides the able leadership he gave to the nascent centre of higher studies, he remained busy in several collaborative research. The outcome of one such enterprise was completed with his wife Rowshan, herself a sociologist and his ardent colleague, under the title, "Application of Science and Technology toward Agricultural Production—A Human Factor Approach". The paper was presented in the International Conference on Communication and Community Development held in December, 1970 in Manila and was acclaimed highly. René Dumont the celebrated French Agronomist quoted from this research extensively in his much discussed work, *A Self-reliant Rural Development Policy for the Poor Peasantry of Sonar Bangladesh* (Ford Foundation, Dhaka, 1973).

After liberation of Bangladesh, he was called upon to take up the directorship of Research, Statistics, Monitoring and Evaluation Division of the Integrated Rural Development Programme of the Government of Bangladesh. Shortly after a year, i.e. in January, 1974 he joined the Rajshahi University to build up the Institute of Bangladesh Studies. Although joined as Director in the rank of Professor, soon he found that it was not enough. So, he was appointed as Professor of Rural Sociology and Agrarian Policy in addition to his administrative responsibilities. Here, he spent three and a half years of tumultuous but fruitful days in a difficult academic setting. He initiated several collaborative research on village studies as well as the infrastructural bases of the Institute. But he moved again. A call from the capital reached him again to be the Project Director of National Foundation for Research on Human Resource Development (July, 1977). This was to be prestigious institution with the Presidents of the Republic as the Chairman of its Board of Governors. But in October, 1983, the Foundation lost its



identity and was merged with Bangladesh Institute of Development Studies, and Qadir had to be satisfied in the minor role of a research director in it. One can safely say that accumulated frustration was, at least, partly responsible for his untimely death. Of late, he was trying to get rid of this frustration by indulging more and more in academic activities, particularly, by renewing his contacts with the University of Rajshahi. But then, death came suddenly and violently. Now we can only pray for the salvation of his departed soul and get inspiration from his legacy.

It is difficult to present shortly a biographical profile of such an uncommon personality. We would, therefore, quote three relevant items from a recent Curriculum Vitae he prepared, in the form of an appendix to this article.

- a. Professional and other responsibilities undertaken;
- b. Participation in International Meetings; and
- c. Publications

Dr. S.A. Qadir is survived by his wife a former University teacher of Sociology and now Deputy Director, National Institute of Local Government at Dhaka, a son studying Mechanical Engineering at the Bangladesh Institute of Technology, Rajshahi and a school-going daughter.

\*Quotations are from S.A. Qadir's Paper: "Pains and Pleasure of Field Work: Village Dhanishwar".



## APPENDIX

### a. Professional and other responsibilities undertaken

1. General Secretary, East Pakistan Conference of Social Work, 1958; Electet Representative of Pakistan in the Permanent Committee of International Conference of Social Work, 1958-60.
2. Senior Vice-President of the Pakistan Sociological Association for two consecutive terms, 1967-70.
3. Govt. of Bangladesh-SIDA consultant for drawing up a scheme of Cooperative Management in Bangladesh, 1975.
4. Member of the Syndicate, Bangladesh Agricultural University, 1975-77.
5. Member, Bangladesh National Commission for Cooperation with UNESCO.
6. Member, Planning Committee, Bangladesh Social Science Research Council, 1977
7. Member of the Advisory Panel, sector relating to Socio-Economic Infra-structue, Planning Commission, Bangladesh, 1978
8. Coordinator, Unesco-Govt. of Bangladesh Seminar on Role of Education in Integrated Rural Development, Dhaka-Comilla-Bogra, 1979.
9. Coordinator, Unesco workshop on Higher Education and Employment in Bangladesh, India, Sri Lanka, and Pakistan; Dhaka, 1980.
10. FAO Consultant and Coordinator, Conference on Integrated Rural Development in the Asia-Pacific region, CIRDAP, Comilla, 1982.
11. Convener, Committee for Evaluation of Opinions on Education Policy, Ministry of Education, GOB, 1983.
12. Member, Committee for award of Ford Foundation-UGC grant for Social Science Research, 1976—Currently member of the Editorial Board for publication of the research reports.
13. Consultant for drawing up Data Base for Local Level Planning RDA/Bogra-Nagoya, 1982-83.
14. Member, Board, of Governors, Intermediate and Secondary Education Board, Dhaka, 1983



15. Member, Board of Governors Bangladesh Association for Community Education (BACE), 1983
16. Hon. Social Science Adviser, Bangladesh Institute of Research and Rehabilitation in Diabetes Endocrine and Metabolic Disorder (BIRDEM), 1984
17. Founder Member, Presidium of the Association of Social Sciences, Bangladesh, 1984

**b. Participation in International Meetings**

1. Conference on agricultural and rural development, McDonald College, Montreal, 1965.
2. Work-shop on and contributor to the writing of Social Science Research Methodology in Universities in Asia, A/D/C, Singapore, 1971.
3. Conference on Communication and Change in Rural Asia, Bangalore, 24 Aug.-3 Sept., 1973.
4. Seminar on Technology & Rural Development, TDI, East-West Centre, (EWC), Hawaii, '73.
5. Seminar on Communication & Change, EWC, Hawaii, 1974.
6. Meeting of the Association of Asian Social Science Research Councils, Simla, India, 1974.
7. International Rural Sociological Conference, Tarun, Poland, 1975.
8. Seminar on Role of Intermediate Organisations on Rural Development, RSI, EWC, Hawaii, 1976.
9. Seminar on Problems of Field Data Collection in Asia, ADC, Singapore, 1976.
10. Workshop on Measuring Quality of Life, Unesco Regional Office, Bangkok, 1976.
11. Workshop on Methods of Evaluation of Development Projects, EEC, Paris, 1977.
12. Bangladesh Country Representative, Asian Mass Communication Information Centre, Singapore, 1977.
13. Seminar on Higher Education and Employment, IIEP, Paris, 1977.
14. Workshop on Participatory Micro-Level Development, Kathmandu, Nepal, 1978.
15. Seminar on New International Order, Unesco (IIEP), New Delhi, 1979.



16. C'Vealth seminar on Integrated Rural Development, Comilla, 1980.
17. Member of Bangladesh delegation in the C'Vealth Education Ministers Conference, Colombo, 1980.
18. Workshop on the Role of Education in Integrated Rural Development, IIEP, Paris, 1981.

#### c. Publications

1. (Contributor) to *Human and Social Impact of Technological Change in East Pakistan*, OUP, Dhaka, 1956.
2. *Social Science Research in Pakistan*—Central Office, Pakistan Academies for Village Development, R' Pindi, 1958.
3. *Introduction of Improved Paddy Culture (Japanese Method) in East Pakistan*, PAVD R'Pindi, 1959.
4. "Supervised Credit—case of Mehrauli Project" in the *Journal of Pakistan Academy for Village Development*, Comilla, Vol. 1, No. 1, 1960.
5. *Village Dhanishwar—three generations of man-land adjustment in an East Pakistan village*. PARD, Comilla, 1960/64 (second print).
6. "Nature and Trend of Multiple Marriage and Divorce in Rural East Pakistan" in Proc. 6th Pak. Socl. Conf. Lahore, 1970.
7. *Modernization of an Agrarian Society—sociological analysis of the Muslim Family Laws and Conciliation Courts Ordinances in East Pakistan*, BAU 1968/NILG, Dhaka, 1981.
8. "Agriculture Students Characteristics" in *Jamia Millia Quarterly*, Karachi, 1970.
9. Papers containing plan, operation, data processing and analysis of Benchmark Survey entitled: *Agro-Economic, Sociocultural Mapping of Bangladesh—involving census of 200 villages with 30000 households*, IRDP, Dhaka, 1974-75.
10. Bangladesh Country Paper in *Yogesh Atal: Social Sciences in Asia*, New Delhi, 1974.
11. "Communication and Development in Bangladesh" in *Communication and Change in Asia*, EWC, 1974.
12. "IRDP Benchmark Survey" in *Field Data Collection in Asia*, A/D/C, Singapore, 1976.
13. (Senior Author): *Productivity and Equity in IRDP Cooperative Irrigation Scheme—an analysis of seven villages in Singra Thana, Bangladesh*; IBS, Rajshahi/EWC: Hawaii, 1978.



14. Senior Author: *Role of Education Projection in Education Planning in Bangladesh*, NFRHRD, 1978.
15. (Co-author): *A survey on Adult Education in Bangladesh*, FREPD, 1979.
16. "Education and Development of Human Resources in Bangladesh"—contributed to a country paper presented in the C'Wealth Conference of Education Ministers, Colombo, 1980.
17. "Professional Manpower Resources for Rural and Agricultural Development in Bangladesh"—report of a C' Wealth Foundation GOB Seminar, Comilla, Nov. 1980.
18. "Indigenisation of Social Sciences" in the Proceedings of a Seminar of the Bangladesh Social Science Research Council, '82.
19. (Co-author): *Higher Education and Employment in Bangladesh*, Unesco-NFRHRD, 1982.
20. *Literacy in Bangladesh Villages—Implications for Development and Micro-planning*, NFRHRD, 1983.
21. (Co-author): *Primary Education in Bangladesh*; NFRHRD, 1983.
22. Sr. Author: *Role of Education in Integrated Rural Development*; IIEP-NFRHRD, 1983.
23. *Data Base for Local Level Planning in Reference to Raignj Upazila, Bangladesh*; RDA, Bogra, 1983.
24. *Development of Human Resources, Population, Manpower and Employment Policies*—Bangladesh Country paper, CSCD-BIDS, '84.
25. "Methodologies of Village Study"—a seminar paper, BARD, Comilla, 1985.
26. "Personal Reminiscences" in *Pains and Pleasures of Field Research*, ed. Anwarullah Chowdhury, NILG, Dhaka, 1985.
27. "Introducing Universal Primary Education in Bangladesh" (Draft), BIDS, Dhakha, May 1985.
28. "Adoption of Technological Change in the Rural Philippines—An analysis of compositional effects", Ph. D. thesis, Cornell University, Sept., 1966, p. 152.



## Professor Safiuddin Joarder : Man and Scholar

A.K.M. Yaquub Ali

Dr. Safiuddin Joarder is no more in this world. He breathed his last at about 5-00 p.m. on Wednesday, the 12th November, 1986 after his gallbladder operation in the CMH, Dhaka. He was laid to rest at Banani graveyard, Dhaka. May Allah rest his soul in the paradise. I was in close association with him for about twenty seven years first as a student and then as a colleague. I, therefore, feel it my obligation to write a few words about his life and works to show our humble respect to his memory.

Dr. Joarder was a profound scholar and renowned historian of Bangladesh. He was an authority on the history of Modern Middle East. His fame as a recognized scholar spread home and abroad. He explored many untapped materials and utilized them properly and with meticulous care for the reconstruction of some historical aspects of Modern Middle East. He had thorough access to other branches of historical studies. He had strong sociological background, and hence he laid much stress on social and economic factors in explaining the trends of particular events of history. His contribution to various branches of knowledge shows that he was such a scholar who proved himself a multi-disciplinarian. It will not, therefore, be an exaggeration to say that the void which was created on his death can hardly be filled in. He was gifted with critical acumen, eloquent tongue and faciled pen which can scarcely be seen combined in average scholar. He was a successful teacher all through his teaching life of about thirty years. He had command over a number of languages besides Bengali (his mother tongue) and English (his second language). These are Arabic, French, Italian, German and Persian.

Safiuddin Joarder was born at Barishat of Sripur *upazilla* in the greater Jessore district (now Magura district) on January 1, 1936. His father late Rahmat Ali Joarder was an honest and respectable man of his locality. He was the youngest son of his parents among four children of whom three (one brother and two sisters) are still alive. He was a



meritorious student all through his educational career. He matriculated from Sripur Mahesh Chandra High English School in 1951 and was placed in First Division with high marks in all subjects. He passed the Intermediate in Arts Examination from Carmichael College, Rangpur with First Division in 1953. He did his Bachelor of Arts degree from the same college under Rajshahi University (second batch of Rajshahi University) in 1955 topping the list of successful candidates with distinction in History. He obtained the degree of Master of Arts in Islamic History and Culture (first batch in the subject) from Rajshahi University in 1957 and was placed First in First Class when Professor M.A. Bari (now Chairman, Bangladesh University Grants Commission) headed the department. Till now no student of the department could reach Safiuddin Joarder in obtaining marks which he had in his Master's Examination.

Joarder after the completion of his formal education chose the profession of teaching and joined the Rangpur Carmichael College as Lecturer in 1957. He served the College for two years and joined the Rajshahi College in 1959. Serving there for nearly two years he joined the Department of Islamic History and Culture, Rajshahi University as Lecturer in 1961.

Mr. Joarder got Fullbright scholarship in 1963 and did his Master's degree from the Michigan University (U.S.A.) in 1964, and the title of his Thesis was "Trade and Commerce in the Eastern Mediterranean in the Eighteenth Century". This was graded 'A' and on the basis of which he was awarded Fellowship for Ph. D. research at Harvard University and the University of California at Los Angeles (U.S.A.) simultaneously. He preferred to study at Harvard University and obtained his Ph. D. degree from there on the topic, "The Early Phase of French Mandatory Administration in Syria" in 1967. (Published by the Asiatic Society of Bangladesh Dhaka.) He returned home in late 1967 and resumed his duties in the Department of Islamic History and Culture, Rajshahi University. He was promoted to the post of Reader (now Associate Professor) in the same department on September 1, 1969, and was appointed Professor on July 23, 1976. Dr. Joarder was offered professorship in the Department of Islamic History and Culture in Dhaka University, and he joined his new assignment on September 1, 1985. Since then he had been in the same post till his death on November 12, 1986. Within this short time he made his mark as a reputed scholar and devoted teacher in the University of Dhaka.

Professor Safiuddin Joarder was a gentleman of fine qualities and was respected by his colleagues in the University for his academic deserts. Books were his close companions, and he used to spend some specified hours everyday in the University Library in search of new



materials on various subjects of his interest. He could win the hearts of his colleagues in the University for his simplicity, honesty and erudition. He was elected President of Rajshahi University Teachers' Association in 1972 and held this office for long period. In his capacity as the President he did some positive works for the common interests of the teachers of Rajshahi University. As an expert on research methodology his services were greatly needed for the Institute of Bangladesh Studies, Rajshahi University at its inception when Professor Khan Sarwar Murshid was the Vice-Chancellor of the University, and he was seconded to the Institute in January, 1974 for two years. His contributions to the academic organization (specially on chalking out the M. Phil. and Ph. D. Programmes) of the Institute at its infancy have made the way for its later development. Dr. Joarder for his expert knowledge on various problems of modern world including Middle East was selected as one of the delegates to attend the session of the General Assembly of the United Nations Organization in 1980. He presented papers on some burning questions of the time and participated in all important deliberations of the session from its opening in September 7 to its close in December 12, 1980. It is he who proposed for the opening of an Information Centre of the U.N.O at Dhaka, and was successful in convincing the house in its favour with his arguments.

Dr. Joarder was appointed as a Professor of History in the University of Maiduguri, Nigeria by a Selection Board of the Nigerian Government for his international reputation as a scholar in September 8, 1981. He graced the University with his valuable service for about three years. The Department did not admit students for research degree as there was no such programme. Credit goes to Professor Joarder that he, on the request of the authority, chalked out the M. Phil. and Ph. D. Programmes, and a number of students did their research works under his supervision.

On his inspiration a number of his colleagues of various disciplines undertook research on different topics and got their results. He supervised two Ph. D. researches, one of Mr. Lutfur Rahman (late) on *Abdullah b. Zubayr and His Times* and other of Mr. A.K.M. Yaqub Ali on *Aspects of Society and Culture of the Barind, 1200-1576 A.D.*, both of them were his students and colleagues in the department. Both the theses were highly acclaimed by the examiner and were awarded the degree of Ph. D. Mr. Nurun Nabi, a teacher of Rajshahi New Degree Govt. College and also his student worked for an M. Phil. degree on *The Development of Modern and Traditional Education in Rajshahi Town: A Study of the Role of Rajshahi College and Rajshahi Madrasah 1873-1920* under his supervision and obtained the degree.



Professor Joarder was an author of a number of books to his credit. His voluminous works on the history of Modern Middle East covering all the countries in two volumes (written in Bengali) were published by the Bangla Academy, Dhaka. These two volumes could be considered as *magnum opus* on the history of modern Middle East in any language. He and Professor David Kopf edited the book *Reflection on Bengal Renaissance* a seminar volume published by the Institute of Bangladesh Studies, Rajshahi University. He and his wife Hasina Joarder jointly wrote an interesting book on the life and works of Begum Roqeya. A number of his research articles were published in the reputed journals of home and abroad. Even many of his articles are still lying unpublished. So far traced a list of his published articles are given below.

#### A. Published Articles

1. "The Middle East, An Historical background", *The Pakistan Observer*, March, 23, 1959.
2. "Lawrence and the Arab Revolt", *The Pakistan Observer*, May 18, 1961.
3. "Lord Palmerstone and the Near Eastern Crisis 1839-41", *Rajshahi University Studies*, Vol. III, January, 1970.
4. The Question of Arab Unity (An Arab Plan Considered), *Journal of the Asiatic Society of Bangladesh*, Vol. XVIII, No. 2, August 1973, Dhaka.
5. "Some Thoughts on the Labouring Classes in Rajshahi in the Later Part of Nineteenth Century", *Bangladesh Historical Studies*, Vol. III, 1978, Dhaka.
6. "Some Thoughts on Arab Nationalism", *Bangladesh Historical Studies*, Vol. IV, 1979, Dhaka.
7. "Minority in Power: The Dynamics of Contemporary Syrian Politics", Seminar Volume, *Society and Culture in Islam*, Chittagong University, October, 1986.
8. *Book Review: Muhammad Mujiruddin, Doctor Enamul Haq* (Chittagong: Doctor Enamul Haq Smriti Parisad, 1984), *the Rajshahi University Studies*, Vol. XIII, Part A, 1985.
9. "উলেমা ও সমকালীন মুসলিম বিশ্ব: একটি পর্যালোচনা" (Ulema and Contemporary Muslim World: A Review), *Itihas* (Itihas Parisad Patrika) 15-20 years, Copy, January, 1987, Dhaka.\*

\*Prof. S.U. Joarder has published several important articles in Bengali literary reviews. —Editor, J.I.B.S.



### B. Unpublished Articles

1. "Some Observations on the Historiography in India during the Sultanate Period".
2. "The Khilafat Movement and Muslim Consciousness".
3. "The Revenue Administration of the East India Company in Bengal".
4. "Who is 'Dahm' in Sharf al-Zaman Tahir's Taba'i al-Hayawan"?
5. "Syria, 1920-1945: The Struggle for Independence", selected for inclusion in an anthology (*The Middle East Reader*) of the representing writings on the modern Middle East being edited by Professor Irene L. Gendzier of Boston University.
6. "Some Characteristics of the French Administrative System in Syria".

Professor Joarder was associated as a member with a number of academic organizations at home and abroad. Of these organization the American Oriental Society, Middle East Institute (Washington D.C.), Itihas Samiti and Asiatic Society of Bangladesh, Dhaka are worth-mentioning. He was one of the Vice-Presidents of the Asiatic Society of Bangladesh till his death. He participated in a number of seminars and symposia in the country and outside of the country. He had been one of the members of the Editorial Board of the Rajshahi University Studies for long time.

In all his writings professor Joarder was clear to what he wanted to say and studied the subjects horizontally and vertically, and to a greater depth. He approached the subjects of his study from different angles and cleared all possible points of doubt and ambiguity. He kept his mind open while writing on any topic, and his assertions are self-explanatory being free from any prejudice. He was methodical, analytical and critical in all his research papers and thought-provoking articles. The research fellow and students working for any research degree under his supervision were properly trained up in their respective fields, and they were deservedly rewarded the degree. He was one of the few experts in research methodology and technique in Bangladesh. The author was fortunate enough to complete his Ph. D. thesis under his able guidance and received from him adequate training in the field of research. He could spend a lot of time for his research students and did not feel annoyed to solve their problems in any time. As a man he was charming, polite and well-behaved. He never lost his temper with anybody and did never conceal his rancour against anyone even though his behaviour seemed unpalatable to him. He befriended all and talked with smiling face. He was a man



of personality and did never flinch from his principles or convictions for personal interest. He was uncompromising to what he deemed right and at the same time was tolerant of other views. He was friend to all and foe to none. He will ever remain a living memory to all with whom he had acquaintance even for a short time.

Professor Joarder left behind his wife (Hasina Joarder, now Headmistress in Sirajganj Saleha Govt. Girls' High School), only son (Ishtiaq Shahriar Joarder, Graduated in Medicine and Surgery from Dhaka Medical College and completed interneeship), relatives and a host of his students, colleagues and admirers to mourn his death.



# Rainfall Characteristics and Agriculture in Bangladesh

M. Aminul Islam

The rhythm of life in Bangladesh is geared to the seasonality of rainfall. Each of the seasonal rainfall characteristics has its significance in determining cropping pattern. The purpose of this paper is to discuss the characteristics of rainfall and agriculture in the country.

## 1. Rainfall Characteristics

Bangladesh enjoys tropical monsoon climate. There are three main rain bearing sources in the country: (i) the summer rains from the South West Trades known as the Monsoons, (ii) the early summer thunderstorms known as the Nor'westers (North westerlies), and (iii) the western depressions of winter.<sup>1</sup>

Rain in Bangladesh is the function of monsoon. The central meaning of monsoon incorporates seasonality of surface winds flowing persistently from one quarter in summer and just as persistently from a different quarter in winter. And this blow of monsoon occurs in response to the seasonal changes in pressure resulting from the differences in temperature between land and waterbodies. Each of the seasonal rainfall takes place over this region in accordance with the prior setting of the various participating forces in the lower troposphere, the upper troposphere and the lower stratosphere such as the jet stream.

Causes of monsoon as a factor for seasonal change were looked in past based on surface recording stations only.<sup>2</sup> Modern views give stresses to the influence of upper air conditions. Now it is clear that storms yielding precipitation are commonly associated with surface convergence of air containing some moisture, and also with upper troposphere diver-

<sup>1</sup>Haroun-er Rashid, *A Systematic Regional Geography and its Development Planning Aspects* (Lahore: Shah Golam Ali & Sons, 1967), p. 55.

<sup>2</sup>For a modern appreciation and critique, M.J. Webb, "Some Aspects of the Early Works of H.F. Blanford and Sir John Eliot on Pressure Disturbances Over the Indian Land Areas 1867-1893", *Indian Geographical Journal*, Vol. 35, No. 1 (Madras, 1960), pp. 1-9.



gence of air currents which permit the upward movement of the moist air to altitudes sufficient for condensation and precipitation to set the weather pattern for the season.<sup>3</sup>

### 1.1 Annual Rainfall Pattern

The annual rainfall varies from about 50 inches in the center-west to more than 100 inches in the south east and in the sub-montane region of the Assam Hills and the Himalayas.<sup>4</sup> More specifically it can be said that the greater part of the regions, west of the main stem of the Brahmaputra, have a mean annual rainfall of 50 inches to 70 inches.<sup>5</sup> In the southern part of the delta and almost throughout the eastern part of the country the mean annual rainfall is generally in excess of

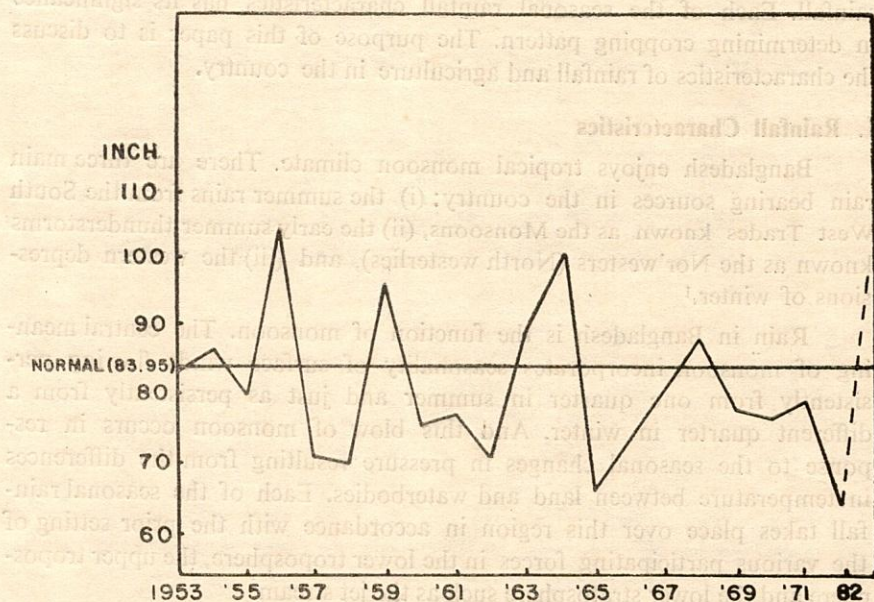


FIG. 1.1 SHOWING VARIATION OF AVERAGE ANNUAL RAINFALL FROM BANGLADESH NORMAL (1953 - 1982).

DATA SOURCE : BANGLADESH BUREAU OF STATISTICS

<sup>3</sup>O.H.K. Spate and A.T.A. Learmonth, *India and Pakistan: Land, People and Economy* (3rd Ed.; London: Methuen & Co. Ltd., 1967), pp. 46-49.

<sup>4</sup>Kazi S. Ahmed, "Climatic Regions of East Pakistan", *Pakistan Geographical Review*, Vol. VII, No. 2 (Lahore, 1952), p. 103.

<sup>5</sup>United Nations, Food and Agriculture Organisation, United Nations Development Programme, *Soil Survey Project: Bangladesh Soil Resources, Technical Report 3* (Rome, 1971), pp. 11-12.



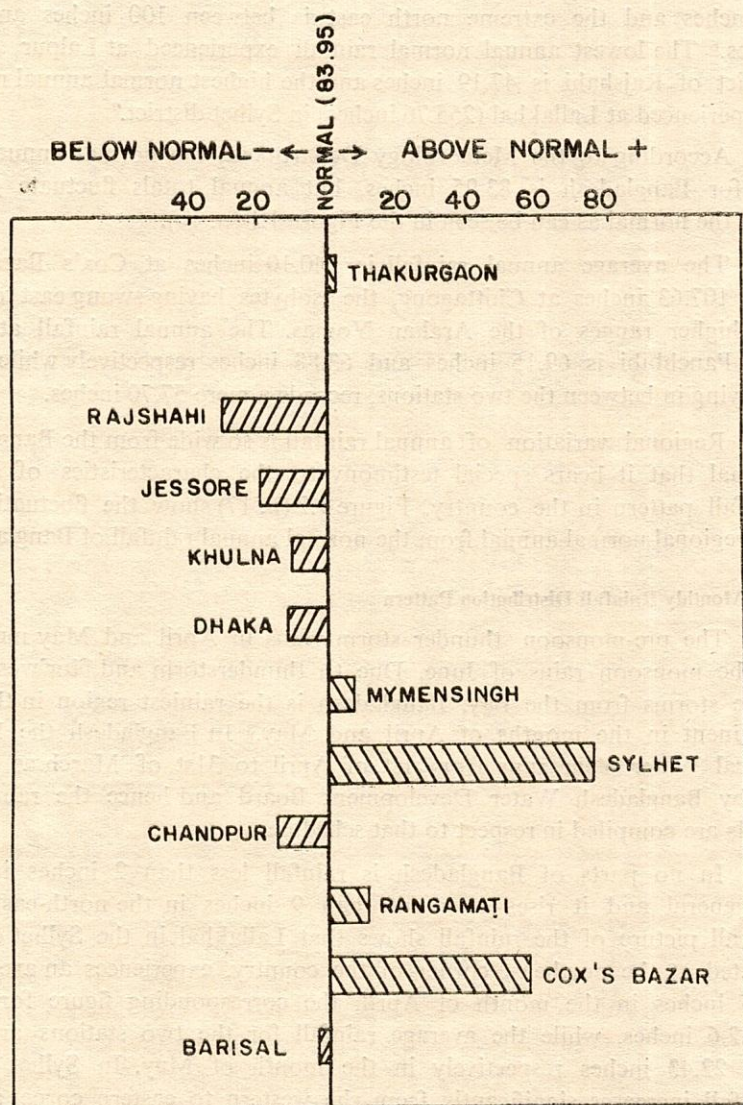


FIG. 1.2 SHOWING THE DEVIATION OF REGIONAL NORMAL ANNUAL RAINFALL FROM BANGLADESH ANNUAL RAINFALL ( IN INCHES )

DATA SOURCE : BANGLADESH BUREAU OF STATISTICS



80 inches and the extreme north east is between 100 inches and 200 inches.<sup>6</sup> The lowest annual normal rainfall experienced at Lalpur, in the district of Rajshahi is 47.19 inches and the highest normal annual rainfall is experienced at Lallakhal (255.76 inches) in Sylhet district.<sup>7</sup>

According to the Meteorology Department, the normal annual rainfall for Bangladesh is 83.95 inches, but annual totals fluctuate greatly from the normal as can be seen in the Figure 1.1 (p. 16).

The average annual rainfall is 140.10 inches at Cox's Bazar, but only 107.63 inches at Chittagong, the isohytes having swung east towards the higher ranges of the Arakan Yomas. The annual rainfall at Bogra and Panchbibi is 69.15 inches and 63.88 inches respectively while Khetlal, lying in between the two stations, records a mere 57.70 inches.

Regional variation of annual rainfall is so wide from the Bangladesh normal that it bears special testimony to the characteristics of annual rainfall pattern in the country. Figure 1.2 (p. 17) show the fluctuations of the regional normal annual from the normal annual rainfall of Bangladesh.

## 1.2 Monthly Rainfall Distribution Pattern

The pre-monsoon thunder storm rains in April and May merge into the monsoon rains of June. Due to thunderstorm and Nor'westers or some storms from the Bay, Bangladesh is the rainiest region in the sub-continent in the months of April and May.<sup>8</sup> In Bangladesh the Hydrological Water Year runs from 1st of April to 31st of March as declared by Bangladesh Water Development Board and hence the rainfall records are compiled in respect to that schedule.

In no parts of Bangladesh is rainfall less than 2 inches in April in general and it rises to more than 9 inches in the north-east.<sup>9</sup> The overall picture of the rainfall shows that Lallakhal in the Sylhet district, located at the northeast corner of the country, experiences an average of 18.5 inches in the month of April, the corresponding figure for Sylhet is 12.6 inches, while the average rainfall for the two stations are 30.52 and 22.43 inches respectively in the month of May. In Sylhet district rainfall increases significantly from the western to eastern corner at close interval. It is to be found that the amount of rainfall increases at a highly accelerating rate from March to May.

<sup>6</sup>B.L.C. Johnson, *Bangladesh*, (London : Heinemann Education Books 1975).

<sup>7</sup>Based on information published by the Hydrology Directorate, Bangladesh Water Development Board.

<sup>8</sup>K. S. Ahmed, *op. cit.* p. 102.

<sup>9</sup>*Ibid.*



For the Chittagong and Chittagong Hill Tracts districts the rainfall in the month of March is below 3 inches on an average. In the month of April the average rainfall at Chittagong and Rangamati, is 5.5 inches and 5 inches respectively; the corresponding figure for May is 9.9 inches and 9.5 inches respectively. But the mean seasonal rainfall of the Nor'wester reveals that rainfall increases from western part of Chittagong to northeast part of the hilly regions.

In the tidal estuaries along the Bay of Bengal, Noakhali has an average of 2.6 inches, 5.3 inches and 10.5 inches of rainfall for the months of March, April and May respectively and the amount increasing toward northeast. Feni has 2.8, 7.3 and 12.5 inches of rainfall respectively. It is found that in the western direction from Noakhali, rainfall gradually decreases. In Barisal the average rainfall for the months of March, April and May is 1.9, 4.1 and 7.9 inches respectively. The more one proceeds towards west the lesser the amount of monthly rainfall. Khulna district as a whole enjoys less average rainfall for the months of March, April and May as compared to the other coastal districts. Kaliganj, the western most station, for example receives an average of 1.7, 3.0 and 5.8 inches for the months of March, April and May respectively.

The Central Region of Bangladesh in the Nor'wester season is bounded in the east by the isohyet of mean seasonal rainfall of 25 inches that goes along the western margin of the Sylhet district, and the western side is bounded by the isohyet of mean seasonal rainfall of 15 inches that passes over the districts of Dinajpur, Rangpur, Bogra, western part of Pabna, Kushtia and Jessore. In the interior of the country the rainfall is seen to be increasing from west to east. The regional distribution of average monthly rainfall is shown in Table 1.

All the districts along the western border of the country are relatively drier. The district of Rajshahi receives the least amount of rainfall, as for example, the average rainfall for the months of March, April and May is 1.25, 1.8 and 2.5 inches respectively while the corresponding figure for Jessore is 1.6, 3.3 and 5.9 inches respectively. On the whole, the amount of Nor'wester rainfall is higher in the eastern part of Bangladesh, particularly in the district of Sylhet.

More than two thirds of the total rainfall take place in the months from June to September during the prevalence of wet monsoon. The monsoon withdraws in the first week of October. The rainiest month varies in different parts of the country. In Sylhet, June is the rainiest month, Lallakhal receiving 46.59 inches of normal rainfall in June and



TABLE 1

Regional Distribution Pattern of Average Monthly Rainfall in  
Nor'wester season of some Selected Stations

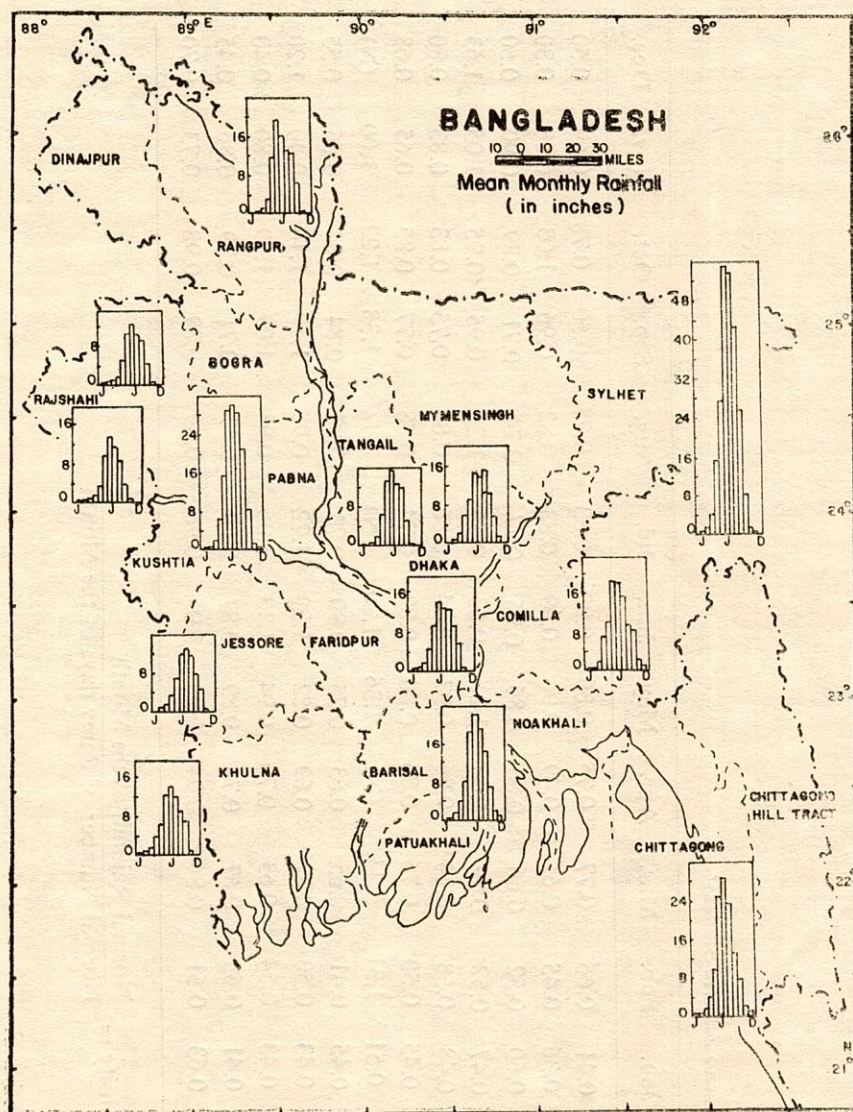
Stations	Nor'wester Season		
	March	April	May
1. EASTERN REGION			
a. Lallakhal	7.832	18.498	30.520
b. Sylhet	4.390	12.603	22.434
c. Comilla	3.085	6.190	11.434
d. Rangamati	2.553	4.996	9.564
2. CENTRAL REGION			
a. Jamalpur			
b. Serajganj	1.692	3.240	7.821
c. Manikganj	1.563	4.891	7.968
d. Faridpur	2.308	5.055	8.831
3. WESTERN REGION			
a. Thakurgaon	1.765	2.962	8.176
b. Rajshahi	1.257	1.803	2.554
c. Kushtia	—	—	—
d. Jessore	1.646	3.362	5.932
4. COASTAL REGION			
a. Chittagong	2.426	5.468	9.854
b. Noakhali	2.637	5.337	10.485
c. Barisal	1.972	4.140	7.950
d. Kaliganj	1.688	3.084	5.848

Source: Hydrology Directorate, BWDB.

41.30 inches in July. However, the highest rainfall occurs most frequently in July all over the country.

The central west has the lowest average monsoon rainfall (July-October). During this period, the heaviest rainfall is experienced in the hilly northeast and south and southern coastal areas. Rainfall increases gradually towards north, south and eastern direction encircling the lowest belt in Rajshahi district. Particularly in the north east and south east direction the increase of rainfall is relatively higher. The rainfall in each of the months from June to September ranges from 7 to 25 inches with some exceptions. The months June to September have also the largest number of rainy days, 15-25 in each month. The monsoon rains





Source: Hydrology Directorate, B.W.D.B.

are often followed by a good amount of rainfall in October from the cyclones which form in the Bay and invade Bangladesh during this month.

Generally, November is free from rains, but December and January are particularly the two driest months. December is even drier than January receiving less than half an inch on an average. Each of these months has less than two rainy days in general. Regional pattern of rainfall intensities shows wide variation (see Table 2).



TABLE 2  
Rainfall Intensities for some Selected Stations\*

Station	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
Dacca	0.41	0.66	0.77	0.75	0.86	0.90	0.83	0.78	0.50	0.78	0.69	0.50
Mymensingh	0.36	0.45	0.61	0.49	0.96	0.99	0.83	0.82	0.96	1.03	0.88	0.30
Barisal	0.60	0.52	0.66	0.80	0.86	0.96	0.77	0.74	0.71	0.89	0.90	0.50
Cox's Bazar	0.47	0.52	0.99	1.00	1.21	0.63	0.54	1.26	0.95	0.95	1.05	1.63
Rangamati	0.48	0.58	0.84	0.86	0.97	0.94	0.86	0.84	0.75	0.83	0.83	0.80
Chandpur	0.45	0.50	0.76	0.86	0.86	0.89	0.74	0.78	0.77	0.85	0.65	0.68
Sylhet	0.51	1.31	1.11	(N)	1.36	1.29	(N)	1.16	1.38	1.22	1.00	(N)
Rajshahi	0.45	0.41	0.65	0.63	0.75	0.90	0.73	0.07	0.84	0.84	0.66	0.55
Thakurgaon	0.43	0.50	0.71	0.69	0.82	1.20	1.22	0.95	1.19	1.14	0.40	1.20
Rangpur	0.43	0.54	0.63	0.70	0.94	1.13	1.06	0.98	1.09	1.29	0.80	0.40
Jessore	0.41	0.65	0.67	0.74	0.89	0.87	0.69	0.67	0.71	0.79	0.86	0.45
Kaliganj	0.63	0.61	0.84	0.94	0.98	1.05	0.96	0.89	0.89	0.98	0.73	0.70

\*Rainfall Intensity =  $\frac{\text{Normal Rainfall of the Month}}{\text{Normal Number of Rainy days of the Month}}$



## 2. Rainfall and Agricultural Seasons

There are three agricultural seasons in Bangladesh, all of which are synchronized to the seasonal rainfall pattern: *Bhadoi*, *Haimantik* and *Rabi*.<sup>10</sup> Particularly it is rainfall that conditions the performance of crops.

### 2.1 Bhadoi Season

The Bhadoi season is called so because the crops of this season known as *Bhadoi* are harvested in the Bengali month Bhadra (mid-August to mid-September) from which the name is derived. The duration of the Bhadoi season is from the month of February to mid-September,<sup>11</sup> which almost covers the Nor'wester and monsoon season. The main crops of this season are jute and *aus* rice. The timely rain from the Nor'westers is indispensable for the preparation of land for *aus* and jute. The sowing of jute begins in March and that of *aus* rice in April and harvesting of both ends in July-August. Abnormally heavy rainfall during April and May from the Nor'westers drowns and damages young jute and *aus* plants. A delay in the commencement of the two rain periods, the Nor'westers and the Monsoon as well as their early cessation may be responsible for crop failure to a large extent. The excessive rainfall concentrated within a few days may not only fail to mature a crop, but may damage it considerably in this season. This is a frequent experience with regard to jute and *aus* paddy.<sup>12</sup>

### 2.2 Haimantik Season

The Haimantik season is called so because the crops of this season, known as Haimantik, are harvested in the Bengali season 'Hemantakal' (November-December). *Aman* is the main Haimantik crop. The sowing of local broadcast *aman* starts in early March in low lying and well watered areas and continues upto August in some areas. The broadcast *aman* has to depend for its sowing on the Nor'westers or early monsoon rainfall.

The *aman* transplantation takes place during the monsoon season (June-October) when sufficient rain water is available. But its growth continues even after the monsoon season. So, a late departure of Monsoon adversely affects the plant growth. Also, towards the critical maturing period, water deficit is often experienced. Long dry spells in Monsoon months may necessitate supplemental irrigation. Variability of the

<sup>10</sup>F.K. Khan and M.A. Islam, "Water Balance of East Pakistan", *The Oriental Geographer*, Vol. X, No. 1 (January, 1966), p. 6.

<sup>11</sup>*Ibid.*, p. 6.

<sup>12</sup>Nafis Ahmad, *op. cit.*, p. 54.



Monsoon rainfall, as a whole, constitutes special problem for agriculture in this season. Rainfall during the end of the monsoon season is particularly critical for rainfed HYV.<sup>13</sup>

### 2.3 Rabi Season

The *Rabi* season extends from November to April-May. The *Rabi* crops sown from November to January and are harvested in April-May. *Rabi* is the season of low rainfall and a period of soil moisture deficit.<sup>14</sup>

### 2.4 General Remarks

The review made above regarding the characteristics of agriculture in relation to rainfall pattern in Bangladesh suggests that there is a problem of seasonality of farming which is evident from the fact that in spite of the scarcity of food and the smallness of agricultural holdings, at least half of the year arable lands remain almost idle. The fact of the matter is that the rainfall is deficient in one season (November to March) and excessive in another (June to October). Therefore, different problems of water supply in agriculture arise in two different season: (1) the premonsoon period which is dry when there is insufficient ground moisture for vegetation, and (2) the period of excessive rainfall during the monsoon.<sup>15</sup> Table 3 shows the share of the annual total rainfall by seasons in some selected stations.

Finally, it may be observed that, successful cultivation is directly subjected to timely occurrence of normal rainfall with uniform distribution. In context to this a popular proverb is well suited to the reality that reveals a true picture concerning the relationship between rainfall and agriculture as follows:

If it rains in *Agrahan* (November-December) the King goes begging; if it rains in *Pous* (December-January) husks become cow-ries; if it rains at the end of *Magh* (January) praised the King, blessed his land; if it rains in *Phalgun* (February-March) crops yield double.<sup>16</sup>

<sup>13</sup>Noazesh Ahmed, *Development Agriculture of Bangladesh*, (Dacca: Bangladesh Books International Ltd., 1976), pp. 30-31.

<sup>14</sup>Khan and Islam, *op. cit.*, p. 9.

<sup>15</sup>M. Aminul Islam, "The Future Relationship between Rural Population and Agriculture in East Pakistan", *Pakistan Geographical Review*, Vol. 21, No. 2, 1966, p. 52.

<sup>16</sup>Nafis Ahmed, *op. cit.*, p. 56.



TABLE 3

Rainfall by Seasons in some Selected Stations

Station	November-March		April-May		June-October	
	Inches	% of total	Inches	% of total	Inches	% of total
Dacca	4.79	6	14.96	20	53.97	74
Dinajpur	2.13	3	9.95	13	64.60	84
Jessore	4.48	7	11.57	18	47.21	75
Sylhet	7.64	6	28.01	22	92.09	72
Cox's Bazar	6.21	5	17.53	12	116.90	83

Source: B.L.C. Johnson, *Agricultural Geography of East Pakistan* (Unpublished Ph. D. Thesis presented to the Birmingham University, 1960), p. 46.

In conclusion it might be said that though resistant crops have been introduced, and improvements in forecasting have made possible adjustments in planting and harvesting schedules, agricultural production in Bangladesh is still much at the mercy of rainfall.

### 3. Water Management and Rice Cultivation

In many areas in Bangladesh, it becomes not so much a matter of supplying sufficient water but to control the water. When water is in short supply or expensive, it is necessary to give special attention to effective use of water resources.<sup>17</sup> Good water management not only helps to boost the yield of rice crop, and to expand the rice area, but also makes possible full use of water, time and land, by allowing multiple cropping to be practiced. This intensive farming practice makes possible and increase in total yield per unit area per year.

Paddy fields are generally classified as rainfed and floodfed.<sup>18</sup> Rainfed paddy fields simply catch and hold water on the place where it falls. In Bangladesh high rainfall during monsoon is sufficient for the monsoon rice crops, particularly Aman, without irrigation in the normal year. The season of rice cultivation has to be adjusted so as to coincide

<sup>17</sup>Peter Kung, "Water Management for Paddy Fields in Tropical Asia", *Tropical Agriculture*, Series No. 9, Symposium on Water Management in Rice Fields, 1975, p. 69.

<sup>18</sup>*Ibid.*, p. 70.



with monsoon. It is however, not unusual to experience water scarcity during the growth period since rainfall is often shortage at the beginning and or at the end of the monsoon. Even during the monsoon season supplementary irrigation is needed. In flood free areas and in areas where the flood water does not exceed about 12 inches, high yield variety can possibly be grown as Aus (sown in line) and transplant Aman crops under rainfed conditions if the soil is good enough to retain the rain water.<sup>19</sup>

The rainfall occurring during these two cropping seasons may possibly be at least good enough, in years of adequate rainfall, to ensure a good crop of HYV what is expected to be considerably better than that of a local cultivar under the same condition. In years of low rainfall the situation may not be as congenial for the HYV as for the local variety but the occurrence of low rainfall is expected to be infrequent as we have observed.

The flooded paddy is grown in lands which remain deeply inundated during those of the growth period. This type of rice is cultivated in vast depressions locally known as *beel* or *haor*, covering an area of about 20 per cent of total land under rice cultivation in Bangladesh.<sup>20</sup> Standing water in the rice field helps to control weed and preserves ammonia of the urea fertilizer. Excess water is not used by the rice plant. For the optimum growth of the rice plant soil moisture content should remain within the range of 25-45 per cent.<sup>21</sup>

Rainfall is important in determining whether HYVs of Aus, Aman or of both Aus and Aman, can be grown. In the eastern half of Bangladesh, where the rainfall is heavier, more reliable and extends over a longer period than in most western areas, Aus can generally be followed by Aman on suitable land and soils if a short-term Aus variety is grown. In the western half of the country, except in coastal districts, the rainfall is generally lower, more variable and starts later and finishes earlier than in the east. It is generally possible to grow only one rainfed HYV rice crop per year. Aus on more permeable ridge soils; Aman on soils that can be puddled to retain water satisfactorily on their sur-

<sup>19</sup>A. Latif Mian, 'Feasibility of Cultivation of High Yielding Cultivars of Rice under Rainfed Condition in Bangladesh', Workshop on Massive Production of HYV of Rice under Rainfed condition in Bangladesh held on 15th and 16th May, 1974 at BRRI (Joydebpur, 1974), p. 108.

<sup>20</sup>M. Z. Haque, "Physiological Behaviour of Deep Water Rice", a paper presented at the International Seminar on DWR held at BRRI, Joydebpur (August, 1974), p. 1.

<sup>21</sup>S.M.H. Zaman, "Suitability of High Yielding Rice Varieties under Rainfed Condition of Bangladesh", Workshop on Massive Production of HYV of Rice under Rainfed condition in Bangladesh, held on 15th and 16th May, 1974 at BRRI (Joydebpur, 1974), p. 103.



face. An exception is the Tista flood plain in Rangpur and eastern Bogra districts, and some eastern parts of Dinajpur district. On this flood plain, silty medium highland soils remain sufficiently moist through the dry season for Aus to be sown in February-March, without awaiting the first rains.<sup>22</sup> Two rainfed HYV rice crops per year can be grown on this land, also where flooding is not too deep, if a short-term Aus variety is used.

Tolerance to drought (moisture per cent above permanent wilting point) is a varietal character. Under certain conditions early maturing HYVs may escape the bad effect of drought at the reproductive stage provided that the critical drought conditions occurs after pollen formation.<sup>23</sup> Since the time of occurrence of drought is unpredictable the success rests on chance.

Nitrification and loss of nitrogen is associated with drought. Application of N in split doses assists the rice plant to utilize N in a better way. Other soil factors, particularly salinity, affect the growth and development of the rice plant under drought condition.<sup>24</sup> The areas of high variability of rainfall is subjected to this problem.

HYVs in general, have better capacity to recover from the bad effect of drought than the LYVs. To offset the effect of drought irrigation may be required in March/April and October.

#### 4. Agriculture and Variability of Rainfall

With regard to the problem of water resources in Bangladesh which is peculiar in nature because the area being subjected to excessive rainfall for half of the year and water deficit for rest of the time, crop calendar in Bangladesh follows the seasonal rainfall pattern. The sowing of Bhadoi crops need the nor'wester and the early monsoon rains, and the sowing of Rabi crops are dependent on the winter rains. Therefore, the variability of rainfall in any one of these agricultural seasons would affect the growth and the yield of the crops grown in that season. As the variability of rainfall affects the availability of soil moisture and thus the water balance for plant growth. Whether supplemental irrigation is required or there is a need for adequate drainage is to be determined on the basis of seasonal rainfall variable data. Detailed information on the pattern of monthly rainfall variations for some selected stations presented in Table 4.

<sup>22</sup>H. Brammer, "The Potential for Rainfed HYV Rice Cultivation in Bangladesh", Workshop on Massive Production of HYV of Rice under Rainfed condition in Bangladesh, held on 15th and 16th May, 1974 at BRRI (Joydebpur, 1974), p. 73.

<sup>23</sup>S.M.Z. Zaman, *op. cit.*, p. 103.

<sup>24</sup>S.M.H. Zaman, *Ibid.*



TABLE 4

Pattern of Monthly Rainfall Variations For Selected Stations\*

Items (In Inches)	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
<b>RAJSHAHI</b>												
Minimum	0	0	0	0	0	1.00	2.00	3.00	1.00	0	0	0
Lower Quartile	0.18	0.31	0.43	0.59	2.15	6.65	8.56	6.30	5.32	1.57	0.16	0.11
Median	0.36	0.61	0.86	1.18	4.20	9.57	11.90	9.26	8.31	3.14	0.32	0.22
Upper Quartile	0.79	0.92	1.72	2.63	6.35	12.71	15.29	13.36	11.25	6.72	0.48	0.32
Average	0.70	0.76	1.26	1.80	4.55	9.97	11.96	10.19	8.41	4.67	0.64	0.26
Maximum	5.09	5.05	5.62	7.85	16.18	26.44	22.57	24.41	19.07	20.07	5.00	2.03
Variability (%)	85.48	50.00	75.38	86.42	49.92	31.67	28.30	38.14	35.65	82.03	50.00	50.00
<b>BOGRA</b>												
Minimum	0	0	0	0	0	2.00	4.00	2.00	1.00	0	0	0
Lower Quartile	0.24	0.23	0.42	0.88	4.68	7.50	10.49	8.71	7.39	2.36	0.44	0.08
Median	0.47	0.46	0.85	1.76	7.13	11.60	12.50	13.43	10.44	4.71	0.88	0.16
Upper Quartile	0.71	1.03	1.85	3.07	9.68	17.55	15.88	17.63	13.82	9.53	0.33	0.24
Average	0.60	0.95	1.23	2.46	7.32	12.75	13.16	13.31	10.88	6.59	1.19	0.20
Maximum	3.48	8.86	3.84	12.02	15.07	35.49	21.79	28.43	30.84	24.95	8.86	1.52
Variability (%)	50.00	87.55	83.73	62.39	34.89	43.29	21.79	33.18	30.75	76.09	50.00	50.00
<b>KHULNA</b>												
Minimum	0	0	0	0	1.00	4.00	6.00	5.00	3.00	0	0	0
Lower Quartile	0.24	0.37	0.58	1.50	3.64	8.85	10.77	8.25	5.25	2.64	0.46	0.11
Median	0.47	0.73	1.15	3.22	6.33	11.96	13.23	11.83	7.38	5.14	0.92	0.22
Upper Quartile	0.74	1.45	2.25	5.27	9.16	15.83	17.67	15.95	10.05	7.50	1.38	0.33
Average	0.71	1.06	1.65	3.63	6.82	12.55	14.22	12.26	8.12	5.64	1.34	0.29
Maximum	3.59	4.52	8.36	10.66	20.86	28.58	25.13	21.59	18.85	20.98	8.59	2.32
Variability (%)	53.93	73.81	72.72	58.44	43.52	29.18	26.06	32.54	32.54	47.26	50.00	50.00

(contd.)



Items (In Inches)	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
<b>COMILLA</b>												
Minimum	0	0	0	0	1.00	6.00	5.00	5.00	3.00	0	0	0
Lower Quartile	0.53	0.49	1.27	2.60	7.47	12.79	14.03	12.41	7.95	4.79	0.61	0.14
Median	1.06	0.97	2.54	5.19	10.31	17.87	17.80	15.77	11.44	8.02	1.22	0.28
Upper Quartile	1.60	1.46	3.81	7.79	14.91	24.43	22.25	20.23	15.25	12.04	1.83	0.41
Average	1.21	1.35	3.09	6.19	11.51	18.95	18.46	16.54	12.39	8.83	1.61	0.36
Maximum	9.61	8.31	19.24	43.65	27.56	41.30	45.04	38.51	29.12	25.29	10.15	2.49
Variability(%)	50.00	50.00	50.00	50.00	36.06	32.57	23.09	24.80	31.90	45.19	50.00	50.00
<b>FARIDPUR</b>												
Minimum	0	0	0	1.00	2.00	1.00	4.00	4.00	3.00	1.00	0	0
Lower Quartile	0.18	0.31	0.88	2.90	5.75	8.90	9.73	8.71	6.00	3.01	0.41	0.10
Median	0.35	0.62	1.76	4.78	8.62	12.20	12.67	11.03	9.20	5.02	0.83	0.19
Upper Quartile	0.61	1.65	2.95	6.61	11.04	17.41	15.42	14.02	12.00	8.66	1.63	0.29
Average	0.52	1.03	2.31	5.06	8.83	13.29	12.99	11.64	9.83	6.54	1.17	0.28
Maximum	2.84	3.95	12.23	17.26	28.76	27.95	26.02	26.34	25.52	27.40	6.48	1.52
Variability (%)	62.39	106.73	58.92	38.80	30.72	34.88	23.00	24.07	38.04	56.17	73.94	50.00
<b>CHITTAGONG</b>												
Minimum	0	0	0	0	1.00	7.00	7.00	4.00	2.00	1.00	0	0
Lower Quartile	0.16	0.47	0.72	2.17	8.30	14.76	19.75	15.97	8.08	5.13	0.53	0.29
Median	0.32	0.93	1.43	4.34	9.55	19.78	26.20	22.53	12.06	8.17	1.18	0.58
Upper Quartile	0.49	1.40	2.64	7.88	12.55	27.25	32.00	28.87	15.67	10.92	2.94	0.87
Average	0.47	1.28	2.43	5.46	9.85	21.19	26.87	23.23	12.73	9.08	2.43	0.86
Maximum	2.69	8.95	14.86	26.80	20.10	37.50	60.12	50.05	39.27	25.05	10.52	5.76
Variability (%)	50.00	50.00	66.88	65.67	32.71	31.57	23.38	28.62	31.47	35.46	101.82	50.00

(contd.)



Items (In Inches)	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
<b>BARISAL</b>												
Minimum	0	0	0	0	0	3.00	7.00	6.00	3.00	0	0	0
Lower Quartile	0.25	0.26	0.50	1.83	4.48	11.24	14.11	11.70	6.06	3.15	0.67	0.23
Median	0.51	0.52	1.00	3.58	7.62	14.97	17.61	15.00	9.43	6.88	1.35	0.46
Upper Quartile	0.76	1.06	2.94	5.79	11.05	20.75	21.32	19.19	13.63	10.65	2.11	0.68
Average	0.73	0.78	1.97	4.14	7.95	16.32	18.36	15.54	10.43	7.17	1.85	0.57
Maximum	10.90	3.25	8.38	12.61	20.54	40.90	43.97	30.79	28.31	23.55	10.16	4.22
Variability (%)	50.00	76.68	121.85	55.23	43.16	31.76	20.48	24.98	40.14	54.52	53.38	50.00
<b>PABNA</b>												
Minimum	0	0	0	0	2.00	3.00	3.00	3.00	1.00	0	0	0
Lower Quartile	0.90	0.34	0.83	1.53	6.54	8.00	8.01	7.30	5.56	2.57	0.24	0.06
Median	0.38	0.68	1.65	2.61	9.08	11.83	10.61	10.09	8.20	5.13	0.48	0.12
Upper Quartile	0.57	1.36	2.48	3.88	12.00	14.10	13.12	12.63	11.42	9.10	1.23	0.18
Average	0.53	0.96	1.92	2.82	9.29	11.33	10.85	10.18	8.74	6.58	0.80	0.18
Maximum	3.30	4.22	16.20	9.70	24.60	24.59	22.20	19.74	22.58	36.21	3.51	1.15
Variability (%)	50.00	75.52	50.00	44.90	30.08	25.80	24.08	26.39	35.74	63.64	102.48	50.00

\*Data source: Hydrology Directorate (Period of records 1905 to 1980). Monthwise percentage variability of rainfall was worked out by Median Method where Variability (%)

$$= \left[ \frac{\text{Ist Quartile} - \text{3rd Quartile}}{2} \times \frac{100}{\text{Median}} \right]$$



#### 4.1 Nor'wester Season

Bangladesh experiences the highest variability of rainfall in Nor'wester season. This critical rainfall coupled with high variability poses some of the most serious risks to agriculture. The rainfall in this season has maximum control on the extent of crop acreage.

From the point of view of agricultural operations, the variability of rainfall in the nor'wester months is more significant than the annual variability, for even if the total rainfall of the year is below or above the average and should distribution be timely, the crops are not much affected. As a matter of fact, timely distribution of rainfall is more important than the annual total. But the timely and normal rainfall distribution is subjected to variability. High variability represents the uncertainty and irregularity in rainfall, i.e., the higher the variability, the lower the reliability of favourable rainfall expectation.

In this study on rainfall variability, it was found that in each month of the nor'wester season, areas experiencing more than 60 per cent variability are the southern part of Dinajpur, west of Bogra, whole of Rajshahi, Kushtia, Jessore and northern part of Khulna. Consequently, these areas require effective irrigation facilities for successful cultivation avoiding the risk from drought conditions.

According to the Agricultural Statistics of 1975-1976 the percentage of irrigated Aus paddy to total irrigated area for the district of Jessore is 35 per cent, Kushtia 37.5 per cent, Dinajpur 27.3 per cent and Khulna 19 per cent, whereas, the percentage of irrigated Aus out of the total irrigated land for the whole of Bangladesh is 5.24.

The lowest variability of nor'wester rainfall is found in the district of Sylhet, Chittagong and Chittagong Hill Tracts. The crop statistics for these districts show that no irrigation is practised in these areas for cultivation of Aus during the nor'wester season.

#### 4.2 Monsoon Season

Rainfall variability in the Monsoon season, as seen in this study, is least ensuring the most reliable condition for crop cultivation all over Bangladesh. But in some years abnormal deviation from the normal rainfall results in either flood or drought conditions, particularly during the later part of the season, causing colossal damage to Aman paddy. As for example, in the year 1961 there had been unprecedented drought during the months from September to November resulting in total failure of paddy crops, particularly in North Bengal. On the other hand, in the year 1974, the excessive rain over Bangladesh and its surrounding territories in mid-monsoon period caused abnormal floods. Table 5 shows less of rice crop by floods and droughts in Bangladesh by year.



### 4.3 Winter Season

Bangladesh experiences moderate variability of rainfall in winter which prevails almost uniformly all over the country. This is the season when there occurs insignificant amount of rainfall, but it is extremely useful for Rabi crops.

Under the prevailing climatic condition of winter, wheat can most profitably be grown in the area which has got very limited time from sowing to harvesting. Wheat is sown in November-December and harvested in March-April, the period remaining free from flood. During the period of blossoming, a shower in late winter or early Nor'wester season, even if it is scanty, can ensure a good harvest.

TABLE 5

Loss of Rice Crops by Floods and Drought and Potential output in Bangladesh, 1968-69 to 1976-77\*

Items	70-71	71-72	72-73	73-74	74-75	75-76	76-77
Rice Production	10.97	9.79	9.93	11.72	11.11	12.56	11.57
Flood and Drought Loss	1.95	0.31	0.25	0.65	1.54	0.16	0.95
Potential Output	12.90	10.10	10.20	12.40	12.60	12.72	12.52

Source: Bangladesh Bureau of Statistics

\*Represented in Million Tons

## 5. Spatial Pattern of Monthly Variability of Rainfall in Bangladesh

### 5.1 Variability in the Nor'wester Season

Nor'wester season includes the months of March, April, and May. As represented by most of the stations in the season, the highest variability is experienced in the month of March. Variability is seen to be high in the western regions, specially the district of Dinajpur, part of Rangpur, Bogra, Rajshahi, Kushtia and Jessore. The variability for March is above seventyfive per cent in most cases in this region and decreases toward eastern region where it is between 45 and 55 per cent, particularly in the district of Sylhet, eastern part of Comilla, Feni of



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Noakhali district, Chittagong and Chittagong Hill Tracts. In the month of April at some stations in Sylhet district, variability of rainfall is as low as 25 per cent. Most of Bangladesh, except along the whole length of the western parts and in the southeast and the district of Sylhet, and enjoys moderate variability ranging from 40 to 60 per cent. There are some exceptional pockets found in some areas in the months of March and April. But the pattern of variability in the month of May is different from those of March and April. The month of May experiences the lowest variability in the season. The highest variability ranging from 60 to 70 per cent covers the region of southern part of Dinajpur, Rajshahi, Jessore and Kushtia and the lowest in Sylhet, Comilla, Noakhali and Chittagong where the range of variability is between 30 and 40 per cent. The rest of the country in May experiences moderate variability ranging from 40 to 60 per cent toward western direction.

### **5.2 Variability in the Monsoon Season**

The monsoon is the rainiest season when more than 80 per cent of the total rainfall occurs. The extent of variability range over place and time in this season is not so wide. In the month of June the district of Sylhet and the Haor area of north of the eastern part of Mymensingh adjacent to Sylhet experiences the lowest variability, barring a few stations, ranging from 18 per cent to 23 per cent. An angular pattern of increasing variability can be found in the June from north the eastern part to southwestern corner. In general July is the rainiest as well as the month of the lowest variability (20% to 30%) covering most of Bangladesh. In the month of August variability ranges from 25 to 35 per cent in general with a few exceptions. The effect of altitude on variability is to be noted as Langla (Sylhet) and Barkal (Chittagong H.T.) experience the lowest variability ranging from 17 to 19 per cent. The lowest variability is also to be noted in parts of Habiganj and Sunamganj in the district of Sylhet and also in Feni and Noakhali.

In the month of September variability is seen increase from eastern to western part progressively extending a range of variability from 20 to about 45 per cent. Dinajpur, Rangpur, Rajshahi, Kushtia, Jessore and Khulna experience rather a high variability ranging from 30 to 45 per cent in most cases. The eastern part covering Sylhet, Comilla, Noakhali, Chittagong and Chittagong Hill Tracts experiences variability almost within the range of 20 to 30 per cent.

October seem to be the month experiencing the highest variability. It is the month when monsoon retreats keeping its affect on variability. Most of the stations all over Bangladesh in this month experiencing



variability in the range from 30 to 45 per cent with a few abnormal figures in some stations. The western region shows the highest variability (above 35%).

### 5.3 Variability in the Winter Season

Winter in Bangladesh is the driest period experiencing variability of over 50 per cent. In the month of November, the southern half of the country experiences 50 to 80 per cent variability higher in the coastal area and the hilly region with a few exceptions in the interior.

It is interesting to note that all over Bangladesh December and January show an extraordinary similarity in matters relating to variability i.e., the variability of 50 per cent is to be found everywhere. Minor exceptions may be noted in January. It is to be noted that in the winter season February appears to be the month experiencing the highest variability ranging between 50 and 70 per cent. There are a few stations having more than 70 per cent variability.

## 6. Comparative Reliability of Rainfall by Time and Place

Thus at a station with almost the same median rainfall for the months under study can be assessed for realization of the comparative reliability of monthly or seasonal rainfall occurrence.

TABLE 6(A)

Kaliganj (Khulna)

Month	Median (Inch)	Variability (%)
May	5.19	55.72
October	5.37	44.47

TABLE 6(B)

Gournadi (Barisal)

Month	Median (Inch)	Variability (%)
March	1.66	80.04
November	1.06	55.60

Table 6 (A) shows that the median rainfall value at Kaliganj for May and October is 5.19 and 5.37 inches respectively, but the figures for semi-interquartile range as a percentage of median is 55.72 and 44.47 per cent respectively, a striking testimony to the greater reliability of the rainfall in the Monsoon month (i.e., October). In Table 6(B) the median rainfall value at Gournadi for the month of March and November is almost same but the variability is higher in March than the month of November revealing that the rainfall in winter months is more reliable than the months of the Nor'wester.



Comparative regional analysis shows the same median value in a particular month but dissimilar variability is evaluated for regional identification of the reliability of rainfall.

TABLE 6.1 (A)

April		
Station	Median (Inch)	Variability (%)
Mymensingh	4.38	57.85
Faridpur	4.78	38.80
Bandarban (CHT)	4.00	55.55
Barkal (CHT)	4.58	61.56

TABLE 6.1 (B)

October		
Station	Median (Inch)	Variability (%)
Rangpur	4.58	75.57
Manikganj	4.44	58.42
Kalaroa (Khulna)	4.33	48.52
Dumuria (Khulna)	4.44	49.03

Table 6.1(A) shows that in the month of April Faridpur experiences least variability (38.80%) and assumes more reliable Nor'wester rainfall and Barkal of Chittagong Hill Tracts is the least reliable region of Nor'wester rainfall than those of Faridpur, Mymensingh and Bandarban. In Table 6.1(B) for the month of October, the stations Rangpur, Manikganj, Kalaroa and Dumuria having almost the same median rainfall but dissimilar variability suggests that in monsoon season Kalaroa and Dumuria of Khulna are more reliable due to their less variability than those of Rangpur and Manikganj with higher variability. In general it is found that inverse relationship exists between the median height and the degree of variability.

## 7. Sources of Seasonal Rainfall

The rainfall in Bangladesh is derived from three distinct atmospheric mechanisms. These are:

- (1) The monsoon depressions in summer that rains from the south-west trades known as the monsoons;
- (2) The western disturbances due to depressions in winter; and
- (3) The early summer thunderstorms known as the Nor'westers (North Westerlies) resulting from the instability of the atmosphere.



### 7.1 Monsoon Depressions in Summer

Monsoon depressions are the most important rain-givers of Bangladesh. The direction of the prevailing winds during this period is from south or southwest from May to October. These monsoon depressions develop along the Inter-Tropical Convergence Zone which lies over South Asia in this season. Much has been written about the pulsatory character of monsoonal activity by Blandford,<sup>25</sup> Walker,<sup>26</sup> Malurkar,<sup>27</sup> Ramadas,<sup>28</sup> Jagannath,<sup>29</sup> Kendrew,<sup>30</sup> Ramage,<sup>31</sup> Naqvi,<sup>32</sup> and other. It is generally agreed that the monsoon air from the Bay of Bengal is responsible for the heavy rains in this season.

The monsoon air from the Bay is also responsible for much of the cyclogenesis in this season and is thrown over the subcontinent in the form of intermittent bursts. The phenomenon is said to be controlled by many complex factors such as the easterly waves in the Bay of Bengal and tropical Western Pacific, the induced through depressions in the extreme northern regions of the subcontinent and the flow patterns at the cirrus level over South Asia and the Indian Ocean.<sup>33</sup> These southwest moisture-laden wind blows across the North Indian Ocean and reaches the Malabar Coast of India, two weeks before they flow up the Bay of Bengal to Bangladesh. A portion of these vast trades moves up the Ganges Valley, while other portion brings copious rains to the west coasts of Burma and quickly moves north into Assam. It is the orogenic rain caused by the striking of this east flowing airmass against

<sup>25</sup>H.F. Blandford, "The Rainfall of India", *Mem. Indian Met. Deptt.*, Vol. 3, Part I (1888).

<sup>26</sup>G.T. Walker, "The Liability of Drought in India as Compared with that of other Countries", *Mem. Ind. Met. Deptt.*, Vol. 21 (1928).

<sup>27</sup>S.L. Malurkar, "Analysis of Weather of India and Neighbourhood", *Mem. Ind. Met. Deptt.*, Vol. 28, No. 4 (1950).

<sup>28</sup>L. Ramdas, "Rainfall of India, A Brief Review", *Indian Journal of Agricultural Science*, Vol. 19. Part I (1949).

<sup>29</sup>P. Jagannath and S. Gopal Rao, "Prediction of the data of establishment of S.W. Monsoon along the West Coast of India", *Ind. Journ. Meteo. Geophys.*, Vol. 5 (1950).

<sup>30</sup>W.G. Kendrew, *The Climate of the Continents* (5th ed.; London: Clarendon Press, 1961).

<sup>31</sup>C.S. Ramage, *Monsoon Meteorology* (New York: Academic Press, 1971).

<sup>32</sup>S.N. Naqvi, "Zonal Currents as a Control Factor of Physical Climatology of South Asia", Manuscript (1950).

<sup>33</sup>K.S. Ahmad and M.L. Khan, "Variability of Rainfall and its bearing on Agriculture in the Arid and Semi-arid Zones of West Pakistan," *Pakistan Geographical Review*, Vol. 16, No. 1 (January, 1961), p. 40.



the Arakan Yomas, Meghalaya Plateau and the Himalayas that forms the major part of the rainfall of Bangladesh.<sup>34</sup>

The rainfall associated with these depressions of monsoon is variable from month to month and year to year. Statistical treatments done by Iyer,<sup>35</sup> Narayan,<sup>36</sup> Williamson and Clark,<sup>37</sup> and Naqvi,<sup>38</sup> show that the co-efficient of variability of monsoon does not vary much beyond 30 per cent in this region.

The fluctuations in the intensity of the monsoon itself are to a large extent associated with a series of depressions which mostly originate (or, when they are coming from farther east, strengthen) at the head of the Bay of Bengal and travel in a north' westerly direction across the country towards north west India, causing heavy rainfall along their track. The frequency of such depressions is 3 or 4 per month during the monsoon months (June to October).<sup>39</sup>

The actual dates of monsoon onset as well as the intensity and distribution in time and space of the monsoon precipitation vary from year to year. Since the monsoon current travels from the south and east to the north and west, the rain occurs in places like Cox's Bazar and Noakhali on about the 20th of May, and spread to Kushtia and Rajshahi in about ten days.<sup>40</sup>

The monsoon season, June to October, is the period of highest rainfall, humidity and cloudiness. More than eighty per cent of the annual rainfall is normally received during this period.

The synoptic conditions that are generally associated with the onset of monsoon are: (a) the initial formation of the monsoon trough near 95°E at 700 millibar pressure level, (b) the displacement of the subtropical jet stream from the south of the Himalayas to its north,

<sup>34</sup>H. Rashid, *East Pakistan, A Systematic Regional Geography and Its Development Planning Aspects* (Lahore: Shah Ghulam Ali, 1965), p. 55.

<sup>35</sup>D.V. Iyer, "Rainfall of Siam—Its Normal Distribution and Relation to Indian Rainfall Possibility of Forecasting Monsoon Rains, *Ind. Met. Deptt. Sc. Notes*, Vol. 4, No. 38 (1932).

<sup>36</sup>D. Shaunkarnarayan, "Nature of Frequency Distribution of Precipitation in India During the Monsoon Months June to September," *Ind. Met. Deptt. Sc. Notes*, Vol. 5, No. 55.

<sup>37</sup>A.V. Williamson and K.G.T. Clark, "The Variability of the Annual Rainfall of India", *Quarterly Journal of the Royal Met. Society*, Vol. 57 (1931), p. 4.

<sup>38</sup>S.N. Naqvi, "Co-efficient of Variability of Monsoon Rainfall in India and Pakistan", *Pakistan Geographical Review*, Vol. 4, No. 2 (1949).

<sup>39</sup>L.A. Ramdas, "Rainfall of India: A Brief Review," *The Empire Journal of Experimental Agriculture*, Vol. XIV, No. 54 (April 1946), pp. 85-99.

<sup>40</sup>Rashid, *op. cit.*, p. 56.



and the establishment of an easterly jet stream south of the Himalayas, (c) the northward movement of the North Pacific High from 15°N in the last quarter of May to 23°N by the end of June, (d) the retreat of the Arabian Sea High from Central India to its mean position over the Arabian Sea and Arabia, and (e) the shift in monsoon trough westward to 85°E and the subsequent formation of monsoon low over the central part of the country.<sup>41</sup>

## 7.2 The Western Depression of Winter

The westerly depressions form in the region of the Elburz Mountains, or even further west, in the Mediterranean Region.<sup>42</sup> These depressions which travel from the Mediterranean sea eastward over the Middle Eastern countries are observed over the country from November to February, although induced trough depressions may continue even in the monsoon season.

The winter season is dominated by locally subsident air: the Himalayan barrier protects the subcontinent from the true winter monsoon current blowing from Siberia across China, and it may be considered as part of the seasonally quasi-permanent or recurrent subtropical high pressure cell (centred over Turkestan or Siberia), giving the light, cool, dry winds from north to north east—a land-trade wind.<sup>43</sup> At about 40,000 feet altitude and just south of the Himalaya is the quasi-permanent winter position of a westerly jet stream.<sup>44</sup> In contrast, the Himalayan region is within the westerlies; this westerly stream reaches the surface, or almost so, in the extreme north of the Indo-Gangetic Plains and southwards from there it continues as an upper westerly stream over the north to northeast subsident air, above an inclined plane of discontinuity in the atmosphere.<sup>45</sup> This westerly air stream bears the westerly disturbances and they generally intensify as they move eastwards and precipitate considerable amount of snow on the western Himalayas. Continuing eastward they bring rain to the lower slopes of the eastern Himalayas and as they are “trapped” in the arc of the Assam hills, to all

<sup>41</sup>B. Dey, “The Onset of Summer Monsoon in India and Bangladesh,” *The Oriental Geographer*, Vol. XIX and XX, Nos. 1 & 2 (January and July, 1975 and 1976), p. 5.

<sup>42</sup>Rashid, *op. cit.*, p. 55.

<sup>43</sup>Spate and Learmonth, *op. cit.*, p. 50.

<sup>44</sup>K.M. Ramamurthi, “A Jet Stream over Northern India Revealed by a Comet de-briefing Report”, *Indian Journal of Met. & Geophysics*, Vol. 6 (1955), pp. 277-78.

<sup>45</sup>Spate and Learmonth, *op. cit.*, p. 50.



parts of Bangladesh also.<sup>46</sup> The main period of these rains is from 20th January to 25th February.<sup>47</sup> In these twenty five days it rains from 0.36 at Cox's Bazar to 1.65 inch at Srimangal and more.<sup>48</sup>

The western depressions cause cloudy weather and light rains and are followed by cold waves. Their frequency is, on the average, two in November, four to five per month during December to March.<sup>49</sup>

Investigations conducted by Ramanathan,<sup>50</sup> Venkiteshwaran,<sup>51</sup> Chaudhry,<sup>52</sup> Mooley,<sup>53</sup> Pisharoty and Desai,<sup>54</sup> and Chakravarty and Basu,<sup>55</sup> about the development and behaviour of these disturbances reveal that these may be easily linked to the extra-tropical depressions resulting from the juxtaposition of polar and tropical air masses along the Polar Front.<sup>56</sup>

### 7.3 The Nor'westers

The Nor'wester season is very significant in so far it relates to the agricultural economy of Bangladesh. The pre-monsoon months from March to May are characterized by violent thunderstorms, locally known as *Kal Baishakhi*. They are called Nor'westers because they often approach a place from the northwesterly direction; in fact the direction of the prevailing winds come from all points of the compass, but the north west is the most frequent direction.<sup>57</sup>

<sup>46</sup>Rashid, *op. cit.*, p. 55.

<sup>47</sup>'Five-Day Normals of Maximum and Minimum Temperature and Accumulated Rainfall', Indian Meteorological Deptt. (Calcutta, 1931).

<sup>48</sup>Rashid, *op. cit.*, p. 55.

<sup>49</sup>Ramdas, *op. cit.*.

<sup>50</sup>K.R. Ramanathan, "Atmospheric Instability at Agra Associated with a Western Disturbance", *Ind. Met. Deptt. Sc. Notes*, Vol. 2, No. 13 (1937).

<sup>51</sup>S.P. Venkiteshwaran, "Daily Variations of Temperature and Pressure at Different Levels over Agra Associated with the Passage of Western Disturbances", *Ind. Met. Deptt. Sc. Notes*, Vol. 7, No. 73 (1940).

<sup>52</sup>A.M. Chaudhry, "An Aerological Study of a Western Disturbance over Indo-Pakistan", *Pak. Journ. Sc.*, Vol. 3, No. 4 (1951).

<sup>53</sup>D.A. Moolay, "The Role of Western Disturbances in the Production of Weather over India during Different Seasons", *Ind. Journ. Met. Geophys.*, Vol. 8, No. 3 (1957).

<sup>54</sup>P.R. Pisharoty and B.N. Desai, "Western Disturbances and Indian Weather", *Indian Journal of Met. and Geophysics*, Vol. 7 (1956), pp. 333-38.

<sup>55</sup>K.C. Chakravarty and S.C. Basu, "The Influence of Western Disturbances on the Weather over Northeast India in Monsoon Months", *Indian Journal of Meteorology and Geophysics*, Vol. 8, No. 3 (1957).

<sup>56</sup>K.S. Ahmad and Khan, *op. cit.*, p. 41.

<sup>57</sup>Nafis Ahmad, *An Economic Geography of East Pakistan* (2nd ed., London: Oxford University Press, 1968), p. 46.



The Nor'westers are due to a variety of reasons, on which the main ones are the steady flow of cool dry air above 6,000 feet from the north-west (anti-trades), and a warm moist current up to 6,000 feet from the south, intense evapo-transpiration in the Bengal Basin and Assam and katabatic winds from the surrounding mountains.<sup>58</sup> There are four main centres of origin of these thunderstorms<sup>59</sup> the Chhota Nagpur Plateau (Type A), the slopes of the eastern sub-montane Himalayas (Type B), the western ranges of the Arakan Yomas (Type C) and the southern slopes of the Meghalaya Plateau (Type D). The type 'A' nor'westers, have a tendency to move in a south-east to north-west direction. Type 'B' generally moves to the Meghna delta from the north. Types 'C' and 'D' usually pass over the delta from the north-east.

During this pre-monsoon season, the upper air circulation over Central and South India is dominated by an anticyclonic flow at about 700 millibar pressure level. Over the Bay of Bengal, an orographically induced trough persists at 15°E. This is responsible for much of the weather activity east of 95°E during pre-monsoon season.<sup>60</sup>

The main characteristics of the Nor'westers are their rapid formation, frequency and movement in the opposite direction to the surface currents, directly the precipitation begins.<sup>61</sup> More frequently it occurs in the evening. About 27 miles per hour is the common maximum wind velocity,<sup>62</sup> but wind speeds of even 100 miles per hour have been experienced in exceptional cases.

The early rains of northeast India and Bangladesh are mainly due to the nor'westers. They are line squalls bringing thunder and lightning and intense precipitation often in the form of hail, the line sometimes regenerating several times, the drought from the first line promoting enough turbulence, especially down wind, to provoke the second and so on.<sup>63</sup> They are commonly associated with divergence related to the westerly jet-streams, or to westerly disturbances in the upper troposphere, sometimes intensified by 'inphase super position' of a wave in the upper troposphere easterlies,<sup>64</sup> and develop, given an association of favourable

<sup>58</sup>Rashid, *op. cit.*, p. 55.

<sup>59</sup>*Ibid.*

<sup>60</sup>B. Dey, *op. cit.*, p. 2.

<sup>61</sup>Nafis Ahmad, *op. cit.*, p. 46.

<sup>62</sup>Sohoni, 'Thunderstorms of Calcutta', *Scientific Notes*, Vol. I, No. 3, Indian Meteorological Deptt. (Calcutta, 1928), p. 2.

<sup>63</sup>Spate and Learmonth, *op. cit.*, p. 53.

<sup>64</sup>In-phase superposition involves, in this case, the merging of an upper (upper troposphere) wave with a lower wave nearer the ground, with which it has come to be 'inphase or coincident'. This has been quoted from Spate and Learmonth, *op. cit.*, p. 53.



conditions: (1) low level convergence, (2) upper air divergence, (3) sufficient inflow of moist air at low levels, and (4) unstable lapse rates often provided through cold air advection aloft.<sup>65</sup>

Important studies have been done by Desai,<sup>66</sup> Ramanathan,<sup>67</sup> A.C. De,<sup>68</sup> A.C. De, *et. al.*,<sup>69</sup> Rai Sircar,<sup>70</sup> Koteswaram and Srinivasan,<sup>71</sup> Ramaswamy,<sup>72</sup> Sohoni,<sup>73</sup> Venikteshwaran,<sup>74</sup> and Mal and Desai,<sup>75</sup> about the phenomenon in the subcontinent. These have revealed that besides thermal instability certain dynamical factors also contribute materially to the mechanism. On the whole, the Nor'westers do not constitute any simple mathematic proposition and therefore their forecast is one of the difficult problems of dynamical meteorology of this area.<sup>76</sup>

## 8. Rainfall Variability: Causes

No remarkable work on causes of rainfall variability has yet been done over this subcontinent. This section is an attempt to give light to the views discussed by different schools of thought and some preliminary findings are being introduced.

<sup>65</sup>O.H.K. Spate and A.T.A. Learmonth, *India and Pakistan: Land People and Economy* (London: Methuen & Co. Ltd. 1967), p. 53.

<sup>66</sup>B.N. Desai, "A Study of Thunderstorms in Poona in 1930", *Ind. Met. Deptt. Scientific Notes*, Vol. 3, No. 27 (1931).

<sup>67</sup>K.R. Ramanathan, "Thunderstorms in Trivandrom", *Ind. Journ. Phys.* Vol. 7 (1922).

<sup>68</sup>A.C. De, "Movement of pre-monsoon Squall Lines over Gangetic West Bengal as Observed by Radar at Dum Dum Airport", *Ind. Journ. Met. & Geophys.*, Vol. 14 (1963), pp. 37-45.

<sup>69</sup>A.C. De, *et. al.*, "Regenerative Drift of a thunderstorm Squall of the S.W. Monsoon Season", *Ibid.*, Vol. 8 (1957), pp. 72-80.

<sup>70</sup>N.S. Rai Sircar, "On the forecasting of Nor'westers in Gangetic West Bengal", *Ibid.*, pp. 21-32.

<sup>71</sup>P. Koteswaram and V. Srinivasan, "Thunderstorms over Gangetic West Bengal in the Pre Monsoon season and the Synoptic Factors Favourable for their formation," *Ibid.*, Vol. 9 (1958), pp. 301-312.

<sup>72</sup>Ramaswamy, "On the Subtropical Jet Stream and its Role in the Development of Large Scale Convection", *Tellus*, No. 18 (Stockholm, 1956), pp. 26-60.

<sup>73</sup>V.V. Sohoni, "Thunderstorms of Calcutta, 1900-26", *Ind. Met. Deptt., Sc. Notes*, Vol. 1. No. 3 (1931).

<sup>74</sup>S.P. Venikteshwaran, "Thunderstorms in the Peninsula During the pre-Monsoon months, April and May", *Ind. Met. Deptt., Sc. Notes*, Vol. IV. No. 44 (1932).

<sup>75</sup>S. Mal and B.N. Desai, "The Mechanism of Thundry Conditions at Karachi", *Quart. Journ. Roy. Met Soc.* Vol. 64, No. 276 (1938).

<sup>76</sup>S.B. Chatterjee: Nor westers of Bengal, *Calcutta Geog. Review*, Vol. VI, No. 1 (1944), p. 33.



The main sources of rainfall variability in Bangladesh are the irregularities in the movement and intensity of the synoptic conditions or components of the annual variation of surface circulations.

Monsoon is the main source of rain in Bangladesh. The process which gives rise to monsoon rain in Bangladesh is very complex and highly interrelated; any disturbance in one affects all the others, and it is impossible to state which is cause and which is effect.<sup>77</sup>

According to Ramage, "alternations of surface cyclones and anti-cyclones are rare in the monsoon area. Nevertheless, variability of annual rainfall is as high there as it is in areas where alternations of surface cyclones and anti-cyclones are frequent, and were presumably, annual rainfall variability might also be high."<sup>78</sup>

Further, the most common components of the monsoons contributing to the surprisingly high variability of rainfall are:<sup>79</sup>

- (a) Circulation in which downward motion and fine weather predominate, i.e., polar and subtropical anti-cyclones, and heat lows.
- (b) Circulation (generally summer time) in which upward motion and wet weather predominate, i.e., tropical cyclones, monsoon depressions, and subtropical cyclones.
- (c) Other systems with marked weather gradients, i.e., troughs in the upper tropospheric westerlies, near equatorial troughs, quasi-stationary non circulating disturbances, surface trans-equatorial flow, and squall lines.

From the year to year, there are wide fluctuations in the behaviour of the monsoon. Even after 100 years of research on this subject there are many facets of the monsoon which are still incompletely understood. There was no attempt to gather data at least of the minimum atmospheric parameters necessary to understand the development and fluctuations of the monsoon.

It was only in 1963-65 that an International Indian Ocean Expedition (IIOE), quite contrary to the then existing theories, brought to light a startling information about the dryness of air in many parts of the Arabian Sea and the equatorial regions.<sup>80</sup> This may exert influence

<sup>77</sup>G. C. Simpson, "The South West Monsoon", *Quarterly Journal of Royal Meteorological Society*, Vol. 17 (n.d.), pp. 151-72.

<sup>78</sup>C.S. Ramage, *Monsoon Meteorology* (New York), Academic Press, 1971), p. 2.

<sup>79</sup>*Ibid.*

<sup>80</sup>Y.P. Rao, "Unravelling Mysteries of Monsoon," *Indian & Foreign Review*, Vol. 14, No. 23, 15th Sept. 1977, p. 13.



on the variation of rainfall over the subcontinent. In connection with the long range forecasting Normand (1953)<sup>81</sup> summarised the position of the subcontinent: "Indian monsoon rainfall has its connections with later rather than with earlier not a passive, feature in world weather, more efficient as a broadcasting tool than as an event to be forecast."

Rainfall varies in time, space and amount according to whether the monsoon is break monsoon or active<sup>82</sup> Moreover, it has been observed that Jet streams have a marked bearing on rainfall, for precipitation tends to occur especially around its right entrance and left exit sectors.<sup>83</sup>

The actual dates of onset and of withdrawal as well as the intensity and distribution in time and space of the monsoon precipitation vary from year to year. All these have marked bearing on rainfall variation. The onset of the monsoon is controlled by the synoptic weather conditions. The northward shift of the subtropical westerly jet stream<sup>84</sup> and the formation of an easterly jet stream south of the Himalayas, withdrawal of Arabian Sea High from Central India to Arabian Sea and Arabia, the northward shift of the North Pacific High Pressure Cell, and the position of the monsoon trough all contribute to the onset of the summer monsoon over this sub-continent.<sup>85</sup>

### 8.1 Tropical Storms as a Factor for Rainfall Variation

In Bangladesh tropical storm or cyclone is another important cause of rainfall variability. It is of interest to determine what proportion of the annual rainfall is due to tropical storms. In general, July and August are the most rainy months and on an average over this subcontinent about two tropical storms develop in each of these months and last for about 4-5 days. Most of them form in the the Bay of Bengal, north of latitude 18°N, and their subsequent movement across the subcontinent varies little from year to year. "Based on data for storm less days, average total rainfalls for July and August have been computed by Raghavan (1967)<sup>86</sup>

<sup>81</sup>C.W.B. Normand, (1953) Monsoon Seasonal Forecasting, *Quart. J. Roy, Meteorol. Soc.* 79, pp. 463-473.

<sup>82</sup>Jen-Hu Chang, (1967), "The Indian Summer Monsoon", *The Geographical Review*, Vol. 57, 1967, p. 386.

<sup>83</sup>*Ibid.*, p. 383.

<sup>84</sup>P. Koteswaram, "The Easterly Jet Stream in the Tropics", *Tellus*, 1958, Vol. 10, pp. 43-57.

<sup>85</sup>B. Dey, The Onset of Summer Monsoon in India and Bangladesh, *Oriental Geographer*, Vols. XIX & XX, Nos. 1 & 2, 1975 & 1976, pp. 7-8.

<sup>86</sup>K. Raghavan, (1967), "Influence of Tropical Storms on Monsoon Rainfall in India", *Weather*, Vol. 22, p. 250.



and then compared with the normal monthly rainfalls inclusive of days with tropical storms. The difference between the two sets of data, one representing the month without storms and the other including storms, is expressed as a percentage of the normal and reproduced in the following figure:

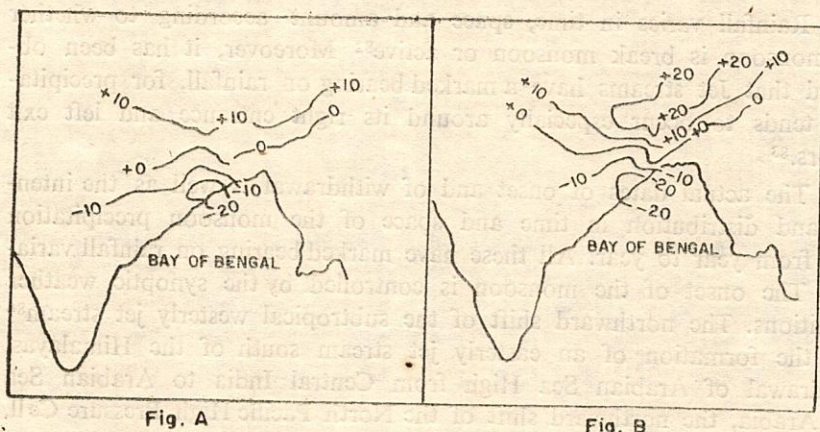


Fig. Percentage departure from mean monthly rainfall over Indian subcontinent for month with storms. A negative (—) departure indicates below normal rainfall in storm free month while a positive (+) above normal rainfall. Fig. A for the month of July, and Fig. B for the month of August. (After Raghavan, 1967)<sup>87</sup>

The diagram indicates that "although a tropical storm causes widespread rainfall, it may actually inhibit rainfall over certain areas. Raghavan's study suggests that in the month of July, tropical storms deprive nearly one third of the subcontinent about 10 per cent of its share of monsoon rainfall, while an almost equal area receives a similar increase of rainfall. In August, however, only a small part of the country benefits from the storms, while a major part is deprived of monsoon rainfall over the Indian sub-continent."

According to the study of Raghavan,<sup>88</sup> Bangladesh and its surrounding regions experience a rainfall increase of 10-20 per cent when the area remains free from tropical storms. "It appears therefore that tropical storms create conditions unfavourable for these regions to receive rainfall, for instead their rainfall comes mostly from minor upper tro-

<sup>87</sup>Ibid.

<sup>88</sup>Ibid.



ughs.<sup>89</sup> Variation in rainfall caused by tropical storms can be explained by assuming that precipitation is concentrated within certain sectors of the storms. Lockwood (1968)<sup>90</sup> has mapped the air flow in a tropical storm over the Indian subcontinent and found that the above assumption was correct in the particular case.

## 8.2 Nor'wester as a Source of Rainfall Variability

A second source of rainfall variability is the very localized pattern of rainfall caused by thunderstorms. These produce heavy rain over small areas, resulting in striking differences over short distances. Most thunderstorms do not follow a predetermined path and it is often a matter of chance whether a storm will reach a recording station or not. Consequently, the amounts of rainfall recorded at the same station can differ considerably from day to day, even though the general meteorological conditions remain the same.

Rainfall in Bangladesh during the period, mid-March to mid-May, is usually associated with thunderstorms, which are commonly known as nor'wester. According to Sohoni,<sup>91</sup> the most important aspect of weather conditions associated with nor'wester days in Bangladesh are, (a) the western disturbances, (b) the east-west pressure gradients, and (c) the temperature contrast. It is however, evident that for the occurrence of nor'westers of any of the above types in Bangladesh, the condition (b), viz., the east west gradient has to be satisfied in almost all cases, for, in the absence of such a gradient, an inflow of fresh maritime air into Bangladesh cannot take place, and no more than occasional and localized rainfall can be expected under such conditions.<sup>92</sup>

A thunderstorm or squall line may drench a spot for upto one hour, although rainfall seldom exceeds 50 mm. Studies in India by Iyer and Zafar (1940),<sup>93</sup> suggested that the storms:

- (1) are associated with synoptic-scale disturbances tropical cyclones, monsoon depressions, strong monsoon winds, or troughs:

<sup>89</sup>J.G. Lockwood, *World Climatology: An Environmental Approach*, London, Edward Arnold, p. 157.

<sup>90</sup>J.G. Lockwood, "Some Uses of Profiles and Charts of Total Energy Content", *Meteorological Magazine*, Vol. 97, p. 145.

<sup>91</sup>Sohoni, *The Journal and Proceedings, Asiatic Society of Bengal*, Vol. XXVIII, 1932, No. 1, pp. 349-357.

<sup>92</sup>A.K. Roy, "On the Forecasting of Rains over South Bengal during the Nor-wester Season, mid-March to Mid-May", *Scientific Notes*, Indian Meteorological Department, Vol. VIII, Nos. 83-100, 1946, pp. 1-9.

<sup>93</sup>V.D. Iyer and M. Zafar (1940), "Distribution of Heavy Rainfall over India", Indian Meteorological Deptt., *Sci. Notes*, 7, pp. 109-118.



- (2) draw on a plentiful supply of moisture, either along a coast or from flooded river plains such as the Ganges;
- (3) are usually anchored by a discontinuity in surface roughness—generally a coast line or a hilly range. In context of this, it is to be noted here that these Nor'wester storms most frequently occur in Sylhet and Chittagong districts in Bangladesh.

In fine, one cannot explain rainfall phenomena with reference to surface conditions of temperature, humidity and topography alone. The upper air conditions, especially correlation with Westerly Jet in winter and Easterly Jet in summer will have to be investigated which has a marked bearing on rainfall variability. The broad easterly depressions, cyclonic storms and tropical cyclones in the northern part of the Bay of Bengal are now known to be related to troughs in the upper troposphere easterlies.<sup>94</sup> The varying positions of subtropical high pressure cells and the varying altitudes of southerly and northerly winds have been shown to contribute to drought or excessive rains.<sup>95</sup>

### 8.3 Extra-Terrestrial Influence on Rainfall

A statistical analysis of the curve of average rainfall over Indian subcontinent, undertaken by Rao and Lokanadham,<sup>96</sup> it shows several prominent peaks, on certain calendar dates, which are in good agreement with those recorded by Bowen (1953, 1956a,b; 1957).<sup>97</sup> Bowen in his study found that there was a marked tendency for heavy rainfalls to occur on the same calendar dates in the different regions. He suggested that this might be due to an extra-terrestrial influence. Meteor showers were known to repeat themselves every year on the same calendar dates and hence were supposed to be a likely source. He proposed that dust particles from meteor streams in space might provide rainforming nuclei when they fall into the cloud-systems of the lower atmosphere. Dhar (1954),<sup>98</sup> found a similar result from the rainfall data for the subcontinent. Rao and Lokanadham<sup>99</sup> in their study found rainfall peaks to

<sup>94</sup>O.H.K. Spate and A.T.A. Learmonth (1967), *India and Pakistan*, Methuen & Company, U.P. Edn., p. 59.

<sup>95</sup>*Ibid.*, p. 62.

<sup>96</sup>M. Srirama Rao and B. Lokanadham (1964), "On the Reality of Rainfall Peaks, and their Relation to Meteor Showers," *Journal of Atmospheric & Terrestrial Physics*, 1964, Vol. 26, No. 2 (London: Pergamon Press Ltd.), pp. 301-311.

<sup>97</sup>E.G. Bowen (1953), *Australian Journal Phys.* 6, 490; Bowen (1956a), *Tellus*, 8, 394; Bowen (1956b), *Journ. Met.*, 13, 142 and Bowen (1957), *Australian Journal Phys.* 10, 412.

<sup>98</sup>O. N. Dhar, *Indian Journal of Met. & Geophys.* (1954), 5, 356.

<sup>99</sup>*Ibid.*, p. 301.



repeat themselves every year about these dates, although with varying magnitudes. According to them these variations could be explained on the basis of lunar effect. Bradley *et al.* (1961);<sup>100</sup> and Bigg (1963)<sup>101</sup> have shown that there exists a remarkable relation between the phase of the moon and precipitation.

Evidence has been found from these results, in support of the reality of rainfall peaks, and their relation to some extra-terrestrial sources. These prominent rainfall peaks are found to agree well with those presented by Bowen (1956a).<sup>102</sup>

The time delays, between the dates of their peak activity, have been found to vary between 30 and 76 days. It is interesting to find that these values of time delay vary linearly with the velocities of corresponding meteor showers.

#### 8.4 Lunar Cycle as a Factor for Rainfall Variation

Heavy rainfalls during the monsoon seasons are found to occur more frequently at certain epochs of the lunar synodic cycle than at others. As found in a study by Berson and Deacon,<sup>103</sup> the effect is not of high statistical significance, but the results are sufficiently suggestive. Brier and Bradley<sup>104</sup> hope to find parallel results in so far as it relates to rainfall variability in the Indian subcontinent.

### 9. Conclusion

It is revealed in the study that the tendency of rainfall to deviate from the average is proportionately greater in the drier parts than in the wetter parts of the country. There is an inverse relationship between the average annual rainfall and the mean variability. In all the areas the frequency of low rainfall as compared to the Median value is greater than those with the excessive rainfall in the months from March to May. Such a condition is more likely to be critical for agricultural activities because the monthly Median is low in this season and any reduction of this quantity is likely to delay the agricultural activities. Similarly in winter, the frequency of extremely low rainfall is greater than the number with more than Median rainfall. This explains that the rainfall in this season is more liable to be deficient Comparative

<sup>100</sup> D.A. Bradley *et al.*, *Journ. Met.*, (1961), XVIII, 242.

<sup>101</sup> E. K. Bigg, *Tellus* (1957), IX, 394.

<sup>102</sup> E.G. Bowen (1956a), *op. cit.*, p. 394.

<sup>103</sup> F.A. Berson and E.L. Deacon, "Heavy Rainfalls and the Lunar Cycle", *Indian Journ. Met. Geophys.*, Vol. XVI, No. 1 (Jan. 1965), p. 55.

<sup>104</sup> G.W. Brier and D.A. Bradley, "The Lunar Synodical period and Precipitation in the U.S.", *Journ. Atmos. Science*, 1964.



regional analysis shows that places with almost the same Median or mean amount of rainfall in the same month have dissimilar variability which identifies the regional reliability of rainfall. As revealed in this study, in the Nor'wester season the central part of the country is more reliable in so far as it relates to rainfall expectation. In the retreating monsoon period, the rainfall is more reliable in the coastal areas than any other part of Bangladesh.

The rainfall in the months of March, April and May has emerged as a very significant factor which influences the crop-landuses in *Bhaddoi* agricultural season. It is also assumed that in the present context the timings of the incidence of rainfall are more important than the annual or seasonal totals. The association between rainfall and crop-landuse reveals some degree of instability in the present pattern of agriculture in Bangladesh today. This is not surprising because the percentage of irrigated areas to total cropped area is still very small and attempts to introduce new technology have been far from satisfactory.



# Underdevelopment and Agrarian Structure in Bangladesh, 1880-1970

Syed Rafiqul Alam Rumi

Agriculture in Bangladesh is still in the centre of economy and remains in many ways the most dominant sector of economic activity. It is the principal source of national income, employment and raw materials for domestic consumption and export. The importance of agriculture is further heightened by the fact that 90 per cent of the country's total foreign exchange earning is achieved from the export of agricultural products. Besides directly contributing to a sizeable proportion of national income, agriculture also provides raw materials for most of the country's manufacturing industries.

The favourable climatic conditions for agricultural production coupled with fertile alluvial soils have created an ideal condition for the development of peasant agriculture in Bangladesh. Water resources give the country a tremendous potential for irrigation in the dry winter season. (Hartmann & Boyce, 1979). Agricultural labour is also abundant. However, despite these favourable physical conditions and successive governments efforts since last twenty years to increase agricultural production through seed-fertilizer-irrigation technology, it has been continuing to be tradition-bonnd and inefficient. Agricultural yields are very low and are among the lowest in the world.

In the present paper an attempt has been made to analyse the characteristics and patterns of agricultural development/stagnation in Bangladesh in the light of the fact that the agricultural sector where exports mainly originate is weak and has not acted as a modern developed capitalist sector. In a country like Bangladesh where land represents the principal form of wealth and political power, and vast majority of the people depend for their living on agriculture. The land tenure system assumes great importance. The structure of land ownership and the parameters within which production, exchange and consumption takes place determine the pattern of agricultural development to a great extent. Hence, the paper will also attempt to analyse agriculture structure in terms of the land



tenure and land revenue system. Subsequently the land use and cropping pattern will be discussed along with the levels and growth of agricultural productivity at the district level.

In order to achieve the above objectives, the following hypotheses are proposed and an attempt will be made to test these hypotheses in the course of this paper.

- 1) Permanent Settlement and subsequent Land Reforms have failed to bring any change in agrarian structure of Bangladesh.
- 2) The growth of agricultural production has not been historically due to modernization of the sector but has taken place mainly on the basis of an enlarged commitment of land labour.
- 3) The efforts to increase agricultural productivity have been confined to the export crops only.

The paper is divided into three sections. The first section presents the background information and historical evolution of land tenure system, in section two we analyse the process of agrarian stagnation through land utilization, and cropping patterns, while section three deals with the levels and growth of agricultural productivity.

Historically the peasant agriculture of Bangladesh was integrated with world market, and the agricultural base of the country gradually changed and became market-oriented than in the past. As a consequence the diversified traditional agriculture of Bangladesh gradually assumed a dual character like other undeveloped countries (Punnambalam, 1981). One sector which was export-oriented i.e., geared to international trade was relatively developed, organized, capitalistic and used modern technology. The other was a tradition bound, domestic agricultural sector, unorganized, non-capitalist and produced for domestic consumption at a subsistence level. These two sectors co-existed side by side without establishing any contact between them. The former grew under the patronage of the colonial government, while the latter continued to stagnate. The situation was further compounded by the activities of a group of parasitic local elites of the ruling class who in the past had expropriated and amassed large surpluses without any prospect of agricultural or economic breakthrough in the region.

### **Land Tenure and Revenue System**

Land Tenure system means the manner in which land is held by the different classes of society. Land tenure and revenue systems of Bangladesh have been undergoing changes with the changes in the country's political set-up. The present land tenure system of Bangladesh is mainly the result



of the gradual evolution of the revenue system under the forces of socio-economic and political parameters.

The East India Company obtained the 'Dewani' of Bengal in 1765 with the authority of collecting the revenue. But due to many complexities British Government in 1772 took over the administration of revenue collection in their own hands and made a quinquennial settlement by auction to the highest bidders. However, in 1777 this system was replaced by one of annual settlement (Mukharji, 1952). Having experimented in such way with several unsuccessful methods of revenue collection Lord Cornwallis made an enquiry in 1786 and introduced the decennial settlement in 1790 which was declared Permanent under Regulation Act I of 22nd March 1793. This settlement is known as the Permanent Settlement.

Much have been written about Permanent Settlement. Here we would like to see briefly what exactly Permanent Settlement was. The basic innovations made by the Permanent Settlement were simple. The zamindars were declared to be the proprietors of the soil, and were given all property rights. The revenue was fixed at ten-elevenths of the assets, which left to the zamindars one-tenth of the revenue which they paid (Government of Bengal, 1941). The revenue was unalterably fixed in perpetuity irrespective of the variation in productivity of the land. At the same time the zamindars were made liable to have their estates sold for arrears of revenue, if the revenue was not paid by sunset of the latest day fixed for each instalment. There could be no excuse such as drought or famine for non-payment (Government General, 1790). The regulations of 1793, however, did not define any specific relation between the zamindars and the tenants. No limit was put to the right of the zamindars to exact a high rent from the cultivating *raiya*ts.

The Permanent Settlement, in course of time, revealed serious weaknesses. The system affected both administration of revenue and economic development. As the collection of revenue was entirely given to landlords it kept the officials in great ignorance of the inhabitants and their needs. The suffering of the tenants had no limit. The regulation act of Permanent Settlement failed to define and protect the rights of the *raiya*ts and left them absolutely to the mercy of the landlords. Due to the sunset law (which enjoys the sale of the estate if the revenue remains unpaid after the last day of payment) and the high tax assessment many estates were soon sold for arrears and the land rapidly changed hands from the old Muslim aristocracy to a rising class of Hindu merchants (Hartmann and Boyce, 1979).

It was expected theoretically after the Permanent Settlement was imposed that the zamindars created by Cornwallis would take a practical



interest in improving their estates and would invest in farming for agricultural development. Such expectations were belied as the zamindars migrated to towns where they lived lives of luxury and imbibed western ideas and neglected their lands. They found it far more profitable to collect rent than to invest in farming. Instead of agricultural entrepreneurs they became absentee landlords. This absenteeism encouraged sub-infeudation and brought into existence a series of intermediary interests in the land system. The system of sub-zamindar interests evolved to reduce the risk of revenue payment to the government. Another reason for sub-infeudation was also created immediately after the implementation of Permanent Settlement. Zamindars found that to save their estates from being auctioned under the sunset law, more waste-land had to be brought under cultivation. Hence there was a mad race among the zamindars not only for more land but also for more tenants to cultivate it. This was difficult to manage and a chain of intermediaries were brought into the system standing one upon another between the zamindars at the top and the cultivating *riyats* at the bottom. Each of these successively leased his land and gave the responsibility of collecting rents to a subordinate tenureholder at a profit. This profit was enjoyed by them without contributing anything to agricultural development (Ray, 1915).

In course of time the system became very complicated and resulted in social and political evils. Considering the situation and realising their mistake British Government passed several Tenancy Acts of Bengal in between 1859 and 1938. Though all these interim measures passed for the benefit of the tenants, did not help them much.

As the Act of Permanent Settlement hampered their policy of increased revenue from the agriculture of Bengal they never bothered to increase agricultural productivity of Bengal through technological changes. For instance, it can be said that during the British period when massive irrigation canals were developed in Punjab and other provinces of British India, irrigation was totally absent in Bangladesh. From the beginning of twentieth century until 1945 the total irrigated area in Bangladesh was less than one per cent of the total cultivable area (Rumi, S.R.A., 1985, p. 164). Britishers were reluctant to invest in irrigation and in other technological changes in Bengal. The obvious reason was the introduction of Permanent Settlement in Bengal which would have made it difficult for them to collect additional revenue from the increased productivity induced by irrigation and other technological changes. Therefore Permanent Settlement is still attributed for the present underdevelopment of agrarian structure in Bangladesh.



After the partition of British India in 1947, the Government of East Pakistan passed and introduced the East Bengal State Acquisition and Tenancy Bill in 1950. The Act sought to abolish the zamindari system freeing the tenants from the yoke of zamindars. Further tenants were given permanent heritable and transferrable rights to their land and to pay rent direct to the Government. Thus the Act eliminated all intermediary rent-receiving interest. The basic objective of this land reforms was aimed at readjusting the surplus land, and to increase productivity and living standard of the tenants through effective use of the land. However, very little land was redistributed since very limited land was procured. The scope of redistribution was further reduced by the amendment of 1961, which raised the ceiling to fifty hectares from forty. This ceiling was too high when compared with the average size of holdings. In fact there were only 529 families in Bangladesh having more than fifty hectares. The land thus resumed for redistribution was only 66,292 hectares, most of it being unfit for settlement (Abdullah, A., 1976). It is important to note that the act and its amendments did not benefit the actual cultivators and landless peasants. Definition of 'cultivation' was not changed. The act also remained silent on the existing harsh terms of share cropping and thus the position of the cultivators continued to deteriorate (Siddiqui, K., 1978). The Government of Pakistan through this Act put into practice a new zamindari system in place of the old one. In fact, following the 1947 partition and due to the Act most of the Hindu Zamindars left East Pakistan benefiting some Muslim Zamindars (Stephenek, J.F., 1979). Moreover, the Bargadar's Bill which was introduced in East Pakistan Legislature 1957 was not passed (Government of Pakistan, 1960).

### **Land Holdings**

The central problem of Bangladesh's agriculture is the size of land parcels, which has continued to fall so that now an average holding is no more than 0.42 hectare, which is very small and uneconomic. This decrease in the size of the average holding has led to the decrease of the output per man and also per unit of land. Subdivision of holding is mainly the result of two causes, firstly, the growing heavy pressure of population on a relatively static cultivable area and secondly, the laws of inheritance coupled with unrestricted transfer of land. Further the process is enhanced by indebtedness, forced sale and land hunger.

The pattern of land holding in Bangladesh is also highly inequitable. The size and distribution of holdings for the country as a whole for the years 1960 and 1968 are shown in Table 1. The unequal distribution is more so in small sized and large sized holdings. Generally speaking,



TABLE 1  
Size Distribution of Land Holdings

Size Groups in Hectares	Category	Percentage of holdings			Percentage of Land		
		1960	1968		1960	1968	
Less than 0.2	Small holdings	13.1	12.3	}	0.9	1.2	}
0.2 to 0.4		11.2	12.7		2.3	3.1	
0.4 to 1.0		27.3	31.6		13.0	17.1	
1.0 to 2.0	Medium holdings	26.3	26.3	}	26.3	30.0	}
2.0 to 3.0		11.4	9.2		19.3	17.8	
3.0 to 5.0		7.2	5.2		19.1	15.5	
5.0 to 10.0	Large holdings	3.1	2.2	}	14.1	11.0	}
10.0 to above		0.4	0.5		4.8	4.6	
			2.7		18.9	15.5	

Source : Pakistan Census of Agriculture 1960 and Master Survey of Agriculture 1968.



the proportion of households exceeds the proportion of area in small size holdings. The reverse tendency has been observed in large sized holdings. It implies that due to the population pressure on limited land and the consequent subdivision of holdings both large and medium size holdings have declined in 1968. It also indicates that of the total holdings of 1960, large holdings with an area of five hectares and above were only 3 per cent which covered 19 per cent of farm area, whereas the small holdings i.e., below one hectare were more than 50 per cent and land covered by them was only 16 per cent. Moreover, the percentage of large and medium holdings has declined over time and the area held by large farms has also declined. But the area held by medium holdings (1 to 6 hectares) has increased from 54.8 per cent in 1960 to 63.3 per cent in 1968. In size group (1 to 2 hectares) of holdings remained constant for both the time, but area under them has increased substantially since 1960.

### **Land and Labour**

Agriculture in Bangladesh mainly consists of crop production in a traditional way, where land and labour are the sole inputs of agriculture. Therefore, to understand the structural characteristics of the agricultural sector, the analyses of the role of land and labour is important.

The availability of cultivable land is highly significant in the agriculture of Bangladesh. The overall landuse pattern and its variation from 1890 to 1970 has been shown in Table 2. It shows that the present landuse pattern is already very intense and extensive tracts of land have been brought under cultivation. There is hardly any scope left for extending agricultural land through opening up of virgin lands. The land classified under different uses in 1970 shows that forest area of Bangladesh accounts for 15.7 per cent of the total land area, land not available for cultivation i.e., land surface preoccupied by buildings, roads, homestead etc. covers 18.4 per cent and only around 2 per cent is occupied by culturable waste. Among cultivable land current fallow occupied only 2 per cent land which implies that the present population pressure on limited land has allowed very little cultivable land to remain as current fallow hampering the process of replenishment of the lands fertility.

The most significant change in the landuse pattern over time to be noted is the overall decreasing trend of area under both current fallow and culturable waste. They have decreased from around 10 per cent in 1890 to 2 per cent in 1970. This indicates that over the time there is an increasing demand of land to produce more food to feed the growing population of







the country. Net sown area has not changed significantly over the eighty years between 1890 and 1970. But for the same period area sown more than once has increased significantly from 1.2 million hectares in 1890 to 4.5 million hectares in 1970. Hence total cropped area has also increased proportionately. This can further be illustrated by the index of landuse and cropping intensity. From the Table 2 it can be observed that throughout the period the intensity of landuse has been very high and in 1970s it reached more than 97 per cent. It means that nearly 98 per cent of cultivable land has been used for production. The cropping intensity has also increased significantly from 116 per cent in 1890 to 151 per cent in 1970. This cropping intensity is among the highest in the world (Bose, S.R. 1972).

Like land, labour is also an important factor of agricultural production in Bangladesh. Labour is the primary instrument for increasing production within the framework of traditional agriculture. The data for agricultural labour force are obtained from decennial population censuses. From these data agricultural labour force per hectare has been calculated at the district level in Bangladesh from 1901 to 1974 and is given in Table 3. The table shows that except for a few cases in all the districts labour per hectare has increased steadily. The highest concentration of labour per hectare of land is found in the south-eastern districts of Bangladesh namely Chittagong, Chittagong Hill Tracts, Noakhali, Comilla and Dhaka. In these districts labour per hectare in 1974 was more than two, which was much above than the national average. In these districts production of rice is comparatively higher than other districts. For instance, in 1970 Bogra with 5 per cent more land area produced nearly 34 per cent less rice than Chittagong (Government of Bangladesh, 1979).

Since rice is the staple food its production is by far the most important agricultural activity, which occupies more than three-fourths of the cropped area of Bangladesh we have found the rank correlation between the total production of rice and labour per hectare at the national level from 1901 to 1974. The data for 1941 has not been included in this analysis as the census was an incomplete one. With seven observations and using the formula :

$$r = 1 - \left( \frac{6 \sum d^2}{n(n^2 - 1)} \right)$$

we obtained a correlation value of  $r = .71$  which is highly significant at the level of 5 per cent. It means where labour is more per hectare production is higher.



TABLE 3

Agricultural Labour Force (per hectare) by District of Bangladesh 1901-1974

District	1901	1911	1921	1931	1951	1961	1974
Bakerganj	0.95	0.85	0.98	0.79	1.10	1.58	1.61
Bogra	1.24	1.21	1.56	1.35	0.81	1.51	1.86
Chittagong	0.91	1.10	1.37	0.95	1.64	3.55	2.40
Chittagong Hill Tracts	—	1.41	0.40	0.60	0.90	2.89	2.71
Comilla	1.22	1.32	1.56	1.20	1.39	5.13	2.85
Dhaka	1.09	1.27	1.27	0.99	1.37	1.95	2.28
Dinajpur	0.78	1.06	1.04	0.94	0.77	1.28	1.53
Faridpur	0.97	1.40	1.06	0.96	0.98	1.86	1.99
Jessore	0.93	1.10	0.96	1.55	0.81	1.14	1.42
Khulna	0.85	1.09	1.39	1.04	0.94	1.46	1.72
Kushtia	1.23	1.60	1.27	1.47	0.61	1.29	1.58
Mymensingh	0.86	1.26	1.32	0.93	1.10	2.19	2.07
Noakhali	0.72	0.51	1.06	0.84	1.45	3.43	1.93
Pabna	0.89	1.16	1.03	0.74	0.52	1.42	1.71
Rajshahi	0.81	1.16	1.07	1.23	0.86	1.15	1.48
Rangpur	1.23	1.18	1.27	0.88	1.01	1.68	2.09
Sylhet	0.73	0.70	0.86	1.17	1.26	2.13	1.74
Bangladesh	0.94	1.09	1.14	1.27	1.27	1.76	1.79

### Cropping Pattern and Regional Variation

In order to further test the commitment of land and labour in agricultural production, spatio-temporal analyses of the distribution of cultivable land under different crops have been done. The results are shown in Table 4 and 5. The tables indicate that the relative importance of some crops seem to have remained the same over the years, while some others have



TABLE 4

Bangladesh Cropping Pattern 1891 to 1970  
(Area in Percentage to the Total Cropped Area)

	Rice	Wheat and other cereals	Gram Total pulses oil seeds	Spices and others	Sugar-cane and others	Jute and others	Cotton	Indigo	Tea	Tobacco	Fodder Crops	Miscellaneous food and non-food	Orchard and garden	
1891-1895	61.27	0.85	10.02	8.09	0.91	2.07	8.76	0.10	0.37	0.17	1.95	0.11	2.82	2.44
1896-1900	64.69	0.68	7.31	7.97	0.88	1.81	8.02	0.01*	0.32	0.23	1.43	0.11	4.58	1.91
1901-1905	66.04	0.60	6.96	7.78	0.81	1.26	8.52	0.01*	0.06	0.22	1.21	0.67	3.44	2.36
1906-1910	65.86	0.33	5.80	7.35	0.69	0.83	10.67	0.13	0.005	0.23	0.99	0.16	3.47	3.41
1911-1915	70.04	0.19	5.06	5.08	0.57	0.80	10.50	0.14	0.004	0.25	0.89	0.37	2.63	3.41
1916-1920	71.14	0.18	5.05	6.25	0.62	1.27	9.19	0.22	0.02	0.29	0.92	0.42	1.47	2.91
1929-1930	71.00	0.17	3.82	4.21	0.54	0.86	12.67	0.24	—	0.32	1.19	0.38	1.12	3.42
1931-1935	74.40	0.22	6.14	4.00	0.73	0.92	7.79	0.25	—	0.29	0.69	0.37	1.16	2.98
1936-1940	74.12	0.23	4.80	4.00	0.70	1.29	8.79	0.22	—	0.28	1.16	0.37	1.02	2.94
1941-1945	72.10	0.25	5.53	4.01	0.66	1.24	9.88	0.31	—	0.27	1.13	0.49	1.06	2.98
1946-1950	80.32	0.33	5.10	2.69	0.96	1.01	7.20	0.21	—	0.28	0.48	0.34	1.03	—
1951-1955	80.56	0.38	5.24	2.98	1.11	1.12	5.96	0.22	—	0.28	0.50	0.36	1.23	—
1956-1960	81.17	0.47	4.29	3.19	1.06	1.15	5.99	0.21	—	0.31	0.44	0.26	1.45	—
1961-1965	80.38	0.54	3.97	2.60	1.20	1.20	7.49	0.15	—	0.30	0.39	—	1.76	—
1966-1970	79.42	0.72	3.78	2.34	1.23	1.34	8.65	0.11	—	0.33	0.37	—	1.67	—

Note: \*Chittagong Hill Tract is the main cotton producing district. Since the data for the district is not available for the period 1896 to 1905 the figure show very little are under cotton.



TABLE 5

Percentage Distribution of Land Under Principal Crops of Bangladesh  
By District (Average for 1895-1970)

	Rice	Wheat	Pulses	Oil seeds	Spices	Sugar-cane	Jute	Cotton	Indigo	Tea	Tobacco	Fodder crops	Miscellaneous food and non-food	Orchard and garden
Backerganj	82.35		3.41	1.30	1.04	1.11	1.59				0.12	0.01	1.49	7.53
Bogra	71.99	0.20	5.20	6.53	0.77	1.47	10.79				0.14	0.01	1.87	0.97
Chittagong	90.66	0.06	0.96	0.41	1.56	0.80	0.26	0.45		0.66	0.52	0.34	2.65	0.65
C. Hill Tracts	57.21		1.67	12.71	0.83	0.42	0.59	20.58		0.05	1.00		2.79	2.11
Comilla	75.04	0.24	2.84	2.93	1.44	0.32	13.31				0.27	0.24	1.92	1.42
Dhaka	63.52	0.38	6.32	6.33	1.07	1.64	13.54				0.57	0.36	2.88	3.34
Dinajpur	80.00	0.17	2.02	5.85	0.26	2.98	6.28				0.76	0.02	0.88	0.75
Faridpur	71.71	0.49	7.34	3.38	1.41	1.31	10.95		0.13		0.25	0.22	0.54	2.28
Jessore	78.36	0.22	8.38	4.63	0.88	1.98	0.66		0.66		0.66		1.76	1.76
Khulna	88.12		1.66	3.32	0.47	0.95	2.37				0.24		0.47	2.37
Kushtia	60.35	1.79	16.11	5.88	0.51	1.79	4.86		1.79		1.02	0.51	2.81	2.55
Mymensingh	63.77	0.13	4.57	8.59	0.47	0.75	15.48	0.07			0.54	1.57	2.18	1.09
Noakhali	81.51		4.45	2.00	2.45	0.44	2.89						1.33	4.90
Pabna	57.50	1.17	12.16	8.44	0.59	1.17	10.79				0.39	0.11	6.27	1.37
Rajshahi	72.37	1.99	8.48	4.99	0.53	1.66	6.15		0.50		0.16	0.16	1.33	1.66
Rangpur	63.45	0.74	4.56	5.31	0.49	1.48	13.58		0.25		6.79	0.12	2.47	0.74
Sylhet	84.74		0.37	1.63	0.37	0.25	1.13	0.05		3.90	0.12	1.76	1.26	4.41



increase and some have decreased. The share of rice area has increased substantially from 61 per cent in 1891-95 to 79.4 per cent in 1966-70. With the increase of area production of rice has also increased proportionately from 63 million in 1891-95 to 112.4 million in 1966-70. This national figures do not bring out the regional differences in the structure of agriculture in Bangladesh. Though in all the districts rice preponderates and accounts more than 50 per cent out of the sown area yet there are differences in area, production and general cropping pattern from district to district. The extent of rice cultivation in Chittagong, Khulna, Sylhet, Bakerganj, Noakhali and Dinajpur is very high. In these districts rice land occupies on an average, 85 per cent of the sown area throughout the period. District-wise trend shows that since the 1920s the growth of rice cultivation increased significantly in Khulna, Pabna, Mymensingh and Rangpur districts. However, the general increase in the share of rice area may be attributed to the general rise in demand in response to the growth of population. This trend is indicated by all the districts except Faridpur where the relative share of rice in the total cropped area remained almost stationary and even recorded a steady decline since 1960 (Rumi, R.A. 1985, p. 151).

In the case of wheat both area and production decreased continuously from 1891-95 to 1929-30 and then increased steadily without any break. Since 1960 the cultivation of winter wheat has expanded enormously in Bangladesh. Wheat area has increased from 47 thousand hectares in 1956-60 to 88 thousand hectares in 1966-70. This rapid increase of wheat cultivation is one of the most promising developments in Bangladesh. Unlike rice, wheat is grown only in some selected districts of Bangladesh i.e., in Kushtia, Pabna, Rajshahi, Rangpur, Faridpur, Bogra and Dhaka. In recent decades the relative importance of wheat in Kushtia and Pabna is increasing.

The area and production of pulses and oil seeds have declined continuously over time. Pulses and oil seeds are grown in every district of Bangladesh, but there has been an appreciable fall in the relative share of area under the crops in all the districts of Bangladesh. During the same period area under sugarcane also did not increase much. In fact the area under sugarcane in 1890-95 was much higher than in 1966-70. However, since the 1930s production of sugarcane has increased due to the introduction of new improved varieties of seeds (Bhattacharyya, B., 1979). The cultivation of sugarcane has made enormous progress in recent decades in Dinajpur, Kushtia, Rajshahi, Faridpur and Pabna. This development is closely related with the coming up of new sugar industries during the 1960s in this region.



Data tabulated for jute did not show any particular trend rather it exhibited fluctuations responding to the world demand and prices. Due to the rise of jute prices during the closing years of the nineteenth century the acreage under jute increased substantially at the beginning of the present century (Government of Bengal, 1895). A marked fall in the area was, however, observed in 1916-1920 due to the depression caused by the First World War. It picked up again and reached a maximum of 1.1 million hectares in the year 1929-30. During the Pakistan regime the cultivation of jute gained in relative importance over other crops. Again there is a remarkable fall in jute area after the partition of British India in 1947. Though jute grown more or less in all the districts of Bangladesh, following seven greater districts Mymensingh, Rangpur, Comilla, Dhaka, Bogra, Faridpur and Pabna comprise the famous jute belt of the world.

Miscellaneous food crops and non-food crops also declined. The share of area under indigo gradually declined following the great indigo mutiny of 1859 and its cultivation finally disappeared after 1920. Though the cultivation of indigo in Bangladesh has been an old practice but on a commercial scale it started only after 1775. Specially when the East India Company took active initiative and gave direct encouragement to its cultivation in some selected districts like Rangpur, Dinajpur, Bogra, Pabna, Rajshahi, Jessore, Faridpur and Kushtia. In Kushtia district indigo cultivation continued till 1920.

Tea is another important cash crop of Bangladesh. It grows in the eastern districts of the country of which Sylhet is the principal producer and practically enjoys the monopoly in the production. Sylhet accounts for more than 93 per cent of the total area under tea in Bangladesh. Tea is the only crop which showed a gradual increase in area and production. Its production rose almost five times between 1891-95 and 1966-70 i.e., from 61 thousand quintals to 288 thousand quintals.

### **Growth Trend**

We have calculated compound annual growth rates of area, production and yield of principal crops of Bangladesh separately both for the last phase of British colonial period (1895-1945) and for the Pakistan period (1950-1970). The results have been given in Table 6. The analysis indicates that during the British period the area, production and yield of only highly export-oriented crops like tea and jute had a higher growth rates compared to all other crops. For tea the growth rate of area under production was little over one per cent while its production increased at the rate of two per cent. The yield rate also increased by nearly one per cent. The other export-oriented crop i.e., jute also shows



TABLE 6

## Compound Annual Growth Rate of Principal Crops of Bangladesh

Crops	1895-1945	1950-1970
AREA		
Rice	0.6%	0.8
Wheat	-2.2%	4.9
Pulses	-1.0%	-0.2
Oil seeds	-1.2%	0.1
Sugarcane	-0.8%	2.3
Jute	0.5%	1.6
Tea	1.3%	1.8
PRODUCTION		
Rice	0.1	2.2%
Wheat	-3.3	6.5%
Pulses	-1.9	0.4%
Oil seeds	-1.7	1.3%
Sugarcane	-0.8	3.5%
Jute	0.6	1.6%
Tea	2.0	2.6%
YIELD		
Rice	-0.6%	1.4%
Wheat	-1.2%	1.6%
Pulses	-2.0%	0.9%
Oil seeds	-0.8%	1.2%
Sugarcane	-0.1%	1.3%
Jute	0.1%	0.1%
Tea	0.8%	0.8%

a growth rate of 0.5 per cent in both area and production, while the growth rate in yield was only 0.1 per cent. Area under rice during the British period increased at a rate of 0.6 per cent but the increase of its production was not commensurate with the increase in area mainly due to a fall in the yield rate. However, this increase in area and production of rice was largely stimulated by the need to feed a rapidly growing population. Other foodgrains like wheat, pulses, oil seeds and sugarcane did not show any positive growth rate for the period.



The compound growth rates for the Pakistan period show a different picture than the British period. During the Pakistan period there was a considerable growth in area, production and yield of wheat. Though its production increased more than 6 per cent annually, it could not bring any appreciable change in the total food production or in the chronic shortage of grain in Bangladesh. Because the area under wheat was less than one per cent of the total cropped area of the country and it never became the staple food of the people of Bangladesh. This growth of wheat production resulted from the green revolution which swept over South and South-East Asia during the 1960s. During the period the growth rate of rice production was more than 2 per cent and its yield rate also increased by 1.4 per cent. In comparison with the British period the rate of growth in area under rice remained the same. Therefore, this increase of production was essentially due to the increase of yield rate owing to the introduction of new High Yielding Variety (HYV) seeds and irrigation during the Pakistan period. Among the commercial crops the growth rate of sugarcane was higher than jute and tea. The rate of growth in the production of sugarcane, tea and jute during the period was 3.5 per cent, 2.0 per cent and 1.6 per cent respectively. On the whole, during the Pakistan period yield rates increased for all the crops except jute. The rate of growth in area, production and yield in jute during both the British and Pakistan period was identical.

We have also analysed the productivity of various crops during the period 1891 to 1970. The productivity indices will also help us to understand the extent of stagnation in the agriculture of Bangladesh during the period under study. Productivity has been calculated in terms of production per hectare. Since overall production has at times increased and at time decreased it was imperative to change these absolute figures of productivity per unit of area in order to eliminate the area effect. The scatter diagrams (time series Graph Fig. 1) were prepared taking time on the 'X' axis and productivity on the 'Y' axis. Such graphs were made for rice, wheat, pulses, oil seeds, jute, sugarcane and tea. A close examination of these graphs does not give any impression of improvement in the agricultural sector over the period. Specially the food crops exhibited stagnation in their levels of productivity. The graphs are found to be nearly horizontal.

We find that during the period 1891-1970 productivity of rice did not change. The quinquennial average yield of rice has remained almost stagnant at ten quintals per hectare through the period. The average yield rate in 1966-70 was the same as that recorded between 1891 and 1895. The lowest average yield was recorded at 8.78 quintals per hectare during 1950-60 and the highest i.e., 11.65 quintals per hectare



## AVERAGE YIELD PER HECTARE OF PRINCIPAL CROPS

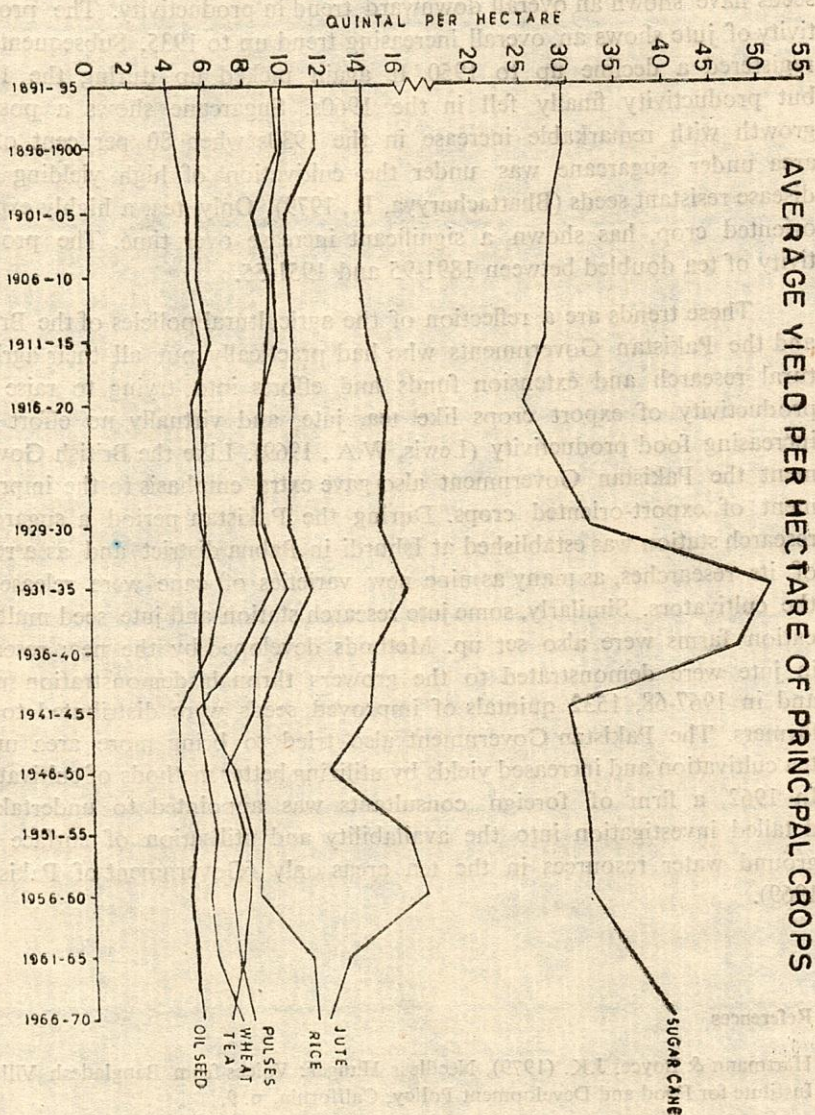


Fig. 1



was recorded between 1966 and 1970. Wheat, gram, pulses and oil seeds have shown an overall downward trend in productivity. The productivity of jute shows an overall increasing trend up to 1935. Subsequently it registered a decline up to 1950. It again picked up during the 1950s but productivity finally fell in the 1960s. Sugarcane shows a positive growth with remarkable increase in the 1930s when 80 per cent of the area under sugarcane was under the cultivation of high yielding and disease resistant seeds (Bhattacharyya, B., 1979). Only tea, a highly export-oriented crop, has shown a significant increase over time. The productivity of tea doubled between 1891-95 and 1951-55.

These trends are a reflection of the agricultural policies of the British and the Pakistan Governments who had practically put all their agricultural research and extension funds and efforts into trying to raise the productivity of export crops like tea, jute, and virtually no effort into increasing food productivity (Lewis, W.A., 1969). Like the British Government the Pakistan Government also gave extra emphasis to the improvement of export-oriented crops. During the Pakistan period a sugarcane research station was established at Ishurdi in Pabna district and as a result of its researches, as many as nine new varieties of cane were released to the cultivators. Similarly, some jute research station and jute seed multiplication farms were also set up. Methods developed by the new research in jute were demonstrated to the growers through demonstration plots and in 1967-68, 1532 quintals of improved seeds were distributed to the farmers. The Pakistan Government also tried to bring more area under tea cultivation and increased yields by utilizing better methods of cultivation. In 1962, a firm of foreign consultants was appointed to undertake a detailed investigation into the availability and utilisation of surface and ground water resources in the tea areas only (Government of Pakistan, 1969).

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# Jute Growers and Jute Labour in Bengal, 1870-1914\*

Md. Wazed Ali

## Introduction

Bengal agriculture was a multicultural one. Peasants seldom grew only one crop; they produced food crops such as rice for family consumption and cash crops such as jute for the market. As peasants' principal concern was the provision for family food they would cultivate rice on such amount of land as would provide sufficient food to the family. Since the prices of jute fluctuated from year to year as a result of changes in the demand for jute in foreign markets peasants with limited land resources would hesitate to cultivate jute. Hence the question arises whether all categories of peasants produced jute. Secondly, the cultivation of jute required more labour than rice growing. This raises the question of the sources of supply of labour to jute growers. The present article analyses the groups of peasants who were involved in jute production and the sources of supply of labour available to them.

## The need for hired labour for jute cultivation

For a better understanding of the problems raised above it is necessary to analyse first the need for family and hired labour for jute growing vis-a-vis rice production. Agriculture in Bengal has always been a labour-intensive business. All the operations of cultivation had to be performed by manual labour. But all the crops did not have to pass through the same kind and the same number of operations, nor did they require the same amount of labour. The cultivation of jute involved certain procedures some of which were different from those of rice, with which jute

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competed.<sup>1</sup> The number of operations of jute cultivation was larger than that of rice and hence jute required more labour. The cultivation of an acre of jute required a labour force of 82 mandays, that of *aus* rice 39 mandays and that of *aman* rice 33 mandays.<sup>2</sup> Thus jute required more than twice the amount of labour required either by *aus* or *aman* rice.

The labour employed in the cultivation of jute was of two types—family labour and hired labour. Family labour played a predominant role, for the greater part of the labour input required for jute was supplied on a family basis.<sup>3</sup> The large majority of peasants used family labour whenever possible, and only employed hired labour when their family resources were inadequate. However, the need for labour was not even and constant throughout the year. The weeding, harvesting and stripping of jute had to be done at a time when the weeding and harvesting operations of *aus* rice had also to be performed and *aman* rice had to be transplanted. An investigation into the sowing and harvesting seasons of the three crops<sup>4</sup> shows that the busiest season for the farmer was between May and August. During these four months he had to perform various operations concerning all three crops. First, he had to weed, harvest, strip and market his jute. Secondly, he had to weed, harvest and thresh

<sup>1</sup>Jute competed more with *aus* (autumn) rice than with *aman* (winter) rice under regular as well as double-cropping patterns. On high as well as low land (i.e., land not subject to early and deep inundation) *aus* rice was grown. Under double cropping pattern, it was followed by *rabi* (summer) crops such as pulses, mustard seed, etc., on high land and by *aman* rice on low land. If jute were cultivated, the growing of *aus* rice had to be sacrificed whether the land was double cropped or not, for jute and *aus* rice were grown in the same season.

<sup>2</sup>Report of the Bengal Provincial Banking Enquiry Committee, 1929-30 (Calcutta: Bengal Govt. Press, 1930) (hereafter *Banking Enquiry Committee Report*), Vol. I., Appendix 4, p. 33. A note on the cost of production of different crops in Bengal by the Director of Agriculture, Bengal.

<sup>3</sup>*Ibid.*, Para 115.

<sup>4</sup>The sowing and harvesting seasons of jute, *aus* rice, and *aman* rice are as follows:—

Crops	Sowing season	Harvesting season
Jute	February to April	June to September
<i>Aus</i> rice	March to May	July to September
<i>Aman</i> rice	May to August	November to January

Source: D. Hamilton-Russell, "Post-war Trends in the Production of Jute, Kenaf and Allied Fibres", FAO Study Group on Jute, Kenaf and Allied Fibres, First Session, July 31, 1964, p. 6.



his *aus* rice. Thirdly, he had to transplant his *aman* rice. But he could not perform all these operations with his family labour alone. The large volume of field work concentrated in this short period compelled him to hire labour. Hired labour was also necessary for harvesting and threshing *aman* rice from November to January.

It is thus certain that some hired labour had to be employed for the cultivation of jute. The amount required depended upon a number of factors. If the farmer had more land than his family labour could normally cultivate, he would need more additional labour. The spread of agricultural operations over a greater number of days as a result of favourable weather would provide the family labour with more employment and reduce the necessity for hired labour. Conversely, the necessity of performing an operation within a limited period due to unfavourable weather (such as harvesting when the flood was approaching) would reduce the capacity of family labour and increase the employment of hired labour.<sup>5</sup> The non-availability of plentiful and cheap labour could then result in severe difficulty. The financial capacity of the farmer was also relevant to the amount of hired labour used. Wages had to be paid in cash and in some areas meals had to be supplied; in the latter case money wages would be somewhat less. The farmer who had savings and surplus foodgrains could employ hired labour more easily than one with no such resources. The position of labour supply might also affect the peasant's capability of hiring labour. Shortages of labour would raise wages and this would limit many farmers' ability to employ additional labour.

#### Groups of peasants who were involved in jute growing

Having discussed the need for hired labour for jute cultivation we now turn to the analysis of the stratification of the agrarian society and groups of peasants who produced jute. The agrarian society of Bengal may be divided into three distinct groups—the land-owning group, the landless group and the *bargadar* (share-cropping) group. The land-owners may again be sub-divided into three categories—the *jotedars* (rich peasants), the middle peasants and the poor or petty peasants.<sup>6</sup>

<sup>5</sup>Banking Enquiry Committee Report, Vol. I, Para 115.

<sup>6</sup>In Bengal the division of the peasant society into three categories is recognized by all economic historians. See, for example, Rajat and Ratna Ray, "The Dynamics of Continuity in Rural Bengal under the British Imperium: A Study of Quasi-stable Equilibrium in Underdeveloped Societies in a Changing World", *Economic and Social History Review*, Vol. X, No. 2 (1973), pp. 103-128.



### The land-owning group: the *jotedars*

At the apex of the agrarian strata stood the *jotedars*. They might have several hundreds or even thousands of acres of land in their possession.<sup>7</sup> Thus they owned land more than sufficient for the maintenance of their families as a result their family labour supplied only a small part of the labour input they required. The *jotedars* were the largest jute growers and hence largest employers of labour. They were the pacemakers in turning over to jute the maximum area which availability of suitable land and labour permitted them. Since they had always been in need of hired-labour for jute cultivation they almost all engaged farm servants who lived with them and received wages on a monthly or yearly basis together with food and clothing. In addition during the peak season, they employed field labourers who received wages on a daily basis.

When the *jotedars* found it difficult to work their whole land even with hired labour, they sub-let a part of it to *bargadars* or *adhiars* (share-croppers) on a produce rent tenancy. Many *jotedars* cultivated only a part of their land, doing so with the help of farm servants and field labourers; they sub-let the greater portion of their land to *bargadars*.

### The middle peasants

The middle peasants occupied the second stratum in Bengal's agrarian society. They were neither rich nor poor. They possessed such amount of land as could provide subsistence to their families.<sup>8</sup> They grew jute; but the extent of its cultivation was limited by the priority they gave for the greater part of the year to the production of rice for the consumption of their families. However, they were probably the second largest group of jute growers in terms of output, and so were the second largest employers of labour. They did not usually keep farm servants. During peak seasons they hired field labourers, the operations in other seasons being performed mainly by family labour.

### Poor or petty peasants

At the third level were the petty cultivators. They did not possess enough land for their own livelihood and lived in danger of want. They might cultivate a few plots of land for jute, but the greater portion of their land was given over to rice production, for the provision of family food was their main concern. They seldom employed hired labour except for stripping if they themselves were not expert in the process. The lands they possessed did not keep them engaged even during peak seasons and hence they usually either themselves worked as part-time labourers or became *bargadars*.

<sup>7</sup>F.O. Bell, *Final Report on the Survey and Settlement Operations in the District of Dinajpur, 1934-40* (Alipore: Bengal Government Press, 1942), p. 16.

<sup>8</sup>*Ibid.*, p. 17.



### The landless group

The landless group consisted of those members of the agricultural community who did not own or possess or rent any land other than their homestead. They had no bullocks; neither did they possess ploughs. Working as wage labourers on the land owned by others was their main occupation, the older members as field labourers and the younger ones as both farm servants and field labourers.

### The bargadar tenants

The *bargadars* were those cultivators who tilled the land of *jotedars* and in return normally received half the produce of the land so cultivated. To determine the status of *bargadars* is difficult. Were they landless peasants or petty cultivators? We have no statistical evidence for this class; neither do we have enough documentary source materials. Our information suggests that they were both landless peasants and petty cultivators according to local conditions.<sup>9</sup>

The assessment of the degree of *bargadars* participation in the growing of jute is difficult. Ascoli, while discussing the condition of jute cultivation in the district of Dacca, wrote that there was little land fit for jute cultivation in which jute was not being cultivated every year, the exception being the land held on *barga* tenancy.<sup>10</sup> Why was such land not given over to jute cultivation? The obvious reason was the reluctance of *bargadars* to grow it. They took such amount of land as *barga* as they could cultivate with their family labour. They avoided hiring labour, because their financial capacity was limited. This imposed limitation on their capacity to grow jute on *barga* land. Moreover, they were more interested in rice than in cash. *Bargadars* rented land as *barga* mainly because their own land could not provide sufficient food to feed their families and the provision of food was every poor peasant's primary concern. This, however, should not lead us to the belief that no *bargadars* cultivated jute. He might cultivate jute on his own land, the *barga* land being used to provide the family's foodgrains.

<sup>9</sup>Of Jessore district Momen writes, "The *bargadars* are generally the poor class of the tenantry who have not got enough lands on cash rent." See M.A. Momen, *Final Report on the Survey and Settlement Operations in the District of Jessore, 1920-24* (Calcutta: Bengal Secretariat Book Depot, 1925), p. 50.

However, Gruning writes that in Jalpaiguri the landless agricultural labourer hardly existed and his place was taken, to some extent, by the *adhiar* who cultivated a piece of land and received half the produce. See J.F. Gruning, *Eastern Bengal and Assam District Gazetteers, Jalpaiguri* (Allahabad: Pioneer Press, 1917), p. 97.

<sup>10</sup>*Bengal Revenue Proceedings*, hereafter *BRP*, Br. Agri., August, 1914, Progs. No. 4, from F.D. Ascoli, settlement officer of Dacca, to the Secy., Govt. of Bengal, Revenue Department (hereafter *RD*), Dec. 18, 1913.



### The response of the different groups to price and market changes

Having considered the groups of cultivators involved in jute growing—the *jotedars*, the middle peasants, the poor peasants and the *bargadars* and having analysed the need for hired labour for them, we can now try to think in general terms about the response of jute growers to price and market changes, and to other circumstances.

It is essential to take account of the differences between the categories of producers. But it is equally impossible to determine their relative share in jute output. There is no information about the numbers of producers in the various categories, nor about the size of their holdings, or the distribution between competing crops (i.e., jute versus rice).

Nevertheless, certain lines of a priori reasoning may be possible. It would seem likely that the *jotedars* were the element in the situation most responsive to market stimuli. We would, therefore, expect their output to conform, to the greatest extent, to changes in price and market conditions.

As to the middle peasants, we can possibly apply to them the reasoning proposed by A.V. Chayanov in his discussion of the Russian peasantry.<sup>11</sup> His model postulates a peasant household economy, the dynamics of which are the demographic forces of the family as related to available land resources, rather than market considerations. The implications would be that the middle peasantry would use family labour as fully as possible in the provision of family subsistence, rather than allocate labour in terms of prevailing prices for jute or rice.

So far as the poor peasants are concerned, their scope for response to market conditions was inherently narrow and to the extent that they became involved in the market, it was in a fashion which was dependent upon the initiative of the *jotedars* or possibly middle peasants; in other words, in a role as either a share-cropper or a hired labourer rather than as independent producer.

As to the *bargadars*, here the primary distinction would seem to lie between the land which the *bargadar* owned and that which he hired on *barga* tenure. However, some *bargadars* might possess no land, but might merely cultivate the land of others. The question becomes one of what incentives there were for a cultivator to enter into a *barga* tenancy. Some net benefit must have been attached over-time to entering into *barga* obligations. Given the fact that so many individuals of differing circumstances, from the individuals with sufficient land to support his family down to the

<sup>11</sup>B. Kerblay, "Chayanov and the Theory of Peasantry as a Specific Type of Economy", T. Shanin (ed.), *Peasant and Peasant Societies* (Harmondsworth: Penguin Books Ltd., Reprint, 1973), pp. 150-160.



completely landless labourer, might take land on *barga* tenure, the means by which the net benefit was achieved would vary according to the individual circumstances.

### The labour input

It has already been analysed that peasants cultivating jute must hire labour. Hired labour was supplied by three sources—the landless agricultural labourers, the ‘dwarf-holding’<sup>12</sup> labourers, i.e., the cultivators, whose land being insufficient to maintain their families, hired their labour to others and the immigrant labourers from outside Bengal. The farmers employed labour from the three sources together, or from two or one of them, depending upon their availability.

### The landless labourer

It is very difficult to trace the origin of Bengal’s labouring class. No regional study about this class has so far been made for Bengal. However some writers have dealt with the problem on an all-India basis, propounding two opposite views. One is that before the advent of British rule the Indian rural population already contained a large number of landless labourers.<sup>13</sup> Kumar’s regional study of South India also supports the above view.<sup>14</sup> According to the other view the large class of landless labourers which undoubtedly existed by the twentieth century was a creation of British rule.<sup>15</sup>

However, the early history of the landless labourers in Bengal is shrouded in obscurity. For their number in the period under review the censuses are the only sources. The censuses of 1872 and 1881 did not enumerate agricultural labourers as a separate class; they were included in the agriculturist class. From 1891 we can get statistics of agricultural labourers in Bengal, because from that time the censuses began to enumerate two classes of labourers—general labourers (unskilled labourers) and agricultural labourers (farm servants and field labourers). These two classes have been regarded as landless agricultural labourers.

<sup>12</sup>The term ‘dwarf-holding’ has been borrowed from Patel. See S.J. Patel, *Agricultural Labourers in Modern India and Pakistan* (Bombay: Current Book House, 1952), p. 98.

<sup>13</sup>See, for example, W.H. Moreland, *India at the Death of Akbar* (London: Macmillan & Co., 1920), p. 112.

<sup>14</sup>See D. Kumar, *Land and Caste in South India* (Cambridge: Cambridge University Press, 1965), p. 193.

<sup>15</sup>See, for example, Patel, *op. cit.*, p. 32.



Table  
Showing the numbers and growth of landless labourers between 1891 and 1921 in Bengal

Census years	Number	Percentage of changes
1891	4,106,394	—
1901	4,354,779	+6.05
1911	4,548,933	+4.46
1921	4,890,332	+7.68

Percentage of increase between 1891 and 1921 is 19.09.

Source: *Census of India (Bengal)*, 1891, Vol. IV, pp. 673, 691, 742-44, 806-808; *Census of India (Bengal)*, 1901, Vol. VIA, Part II, pp. 343, 437-439; *Census of India (Bengal)*, 1911, Vol. V, Part II, pp. 343, 437-439; *Census of India (Bengal)* 1911, Vol. V, Part II, pp. 224, 505; *Census of India (Bengal)*, 1921, Vol. V, Part II, pp. 212-213.

The Table shows the numbers and growth of landless labourers according to the census figures. They increased from 4.10 million in 1891 to 4.89 million in 1921. Between 1891 and 1921 the labour population increased by 19.09 per cent. The rate of the growth of the agricultural labourers was nearly equal to that of the total population which increased by 19.46 per cent between 1891 and 1921.<sup>16</sup> Thus the increase in the number of labourers is to be attributed to natural growth. It means that most of the labourers became landless before 1891. It is, however, not known definitely when and how they became landless or if they had always been so.

Having analysed the numbers and growth of landless labourers it is necessary to discuss the proportion of landless labourers to total population and the cultivator-labourer ratio. We now turn to this discussion. For this we have taken the census of 1911 as the basis, because this was the earliest census in the period under review which was characterised by a greater precision of enumeration.<sup>17</sup> In 1911 the landless labourers constituted 10 per cent of the population<sup>18</sup> and there was only one landless labourer to every four cultivators (actual workers).<sup>19</sup> Thus compared to

<sup>16</sup>The population of Bengal in 1891 and 1921 was as follows:

1891	1921	% of increase
39,089,217	46,695,536	19.46%

Source: *Census of India (Bengal)*, 1921, Vol. V, Part II, p. 4.

<sup>17</sup>See *Census of India (Bengal)*, 1911, Vol. V, Part I, p. 536.

<sup>18</sup>Worked out from the *Census of India (Bengal)*, 1911, Vol. V, Part II, p. 2, 224, 305.

<sup>19</sup>*Ibid.*



cultivators the labour force available from landless labourers was small. Peasants, therefore, had to employ labour from other sources. These were the 'dwarf-holding' labourers and the immigrant labourers.

### The 'dwarf-holding' labourers

The second source of hired labour were the 'dwarf-holding' labourers. They consisted of "different categories of petty cultivators whose holdings of lands are extremely small and thus inadequate to provide their families even with the bare necessities of life. Some of these cultivators have their own plots of land; others rent them either as tenants having occupancy rights, or as tenants-at-will on a share-cropping or fixed money or rental basis".<sup>20</sup> The distinguishing feature of this group was that agricultural labour was not their sole occupation. The inadequacy of their main occupation compelled them to see farm work, whenever available, especially during peak season.<sup>21</sup> No statistical data for this group available. But proofs of their existence are furnished by the settlement reports, district gazetteers and census reports.

The Census Commissioner for 1901, wrote: "The small agriculturist is frequently a cultivating and non-cultivating landowner, a tenant, a farm servant, and a field labourer all rolled into one, owning which he partly cultivates and partly lets out for rent, hiring other land from someone else, and eking out his earnings by working on the land of others".<sup>22</sup> The Census Commissioner for 1911 stated that "many of the small cultivators eke out their earnings by working in the fields of their more prosperous neighbours".<sup>23</sup> "To the chief categories of labour", remarked the Census Commissioner for 1921, "must again be added a large and indefinite number of petty cultivators who form a seasonal reserve of labour available both for agriculture and industry."<sup>24</sup>

In Bogra the Koches, members of a semi-Hinduised tribe, who were partially ordinary cultivators, engaged themselves as agricultural labourers.<sup>25</sup> In Pabna the agricultural labourers were drawn from the Muhammadan community who formed the majority of the ordinary cultivators.<sup>26</sup> In

<sup>20</sup>Patel, *op. cit.*, p. 98.

<sup>21</sup>*Ibid.*

<sup>22</sup>*Census of India*, 1901, Vol. I, Part I, p. 205.

<sup>23</sup>*Census of India*, 1911, Vol. I, Part I, p. 415.

<sup>24</sup>*Census of India*, 1921, Vol. I, Part I, p. 273.

<sup>25</sup>J.N. Gupta, *Eastern Bengal & Assam District Gazetteers, Bogra* (Allahabad : Pioneer Press, 1910), pp. 42-43.

<sup>26</sup>L.S.S., O'Malley, *Bengal District Gazetteers, Pabna* (Calcutta: Bengal Secretariat Book Depot, 1923), p. 65.



Dinajpur many Haris, a cultivating caste holding land as occupancy or non-occupancy tenants, found employment as agricultural day labourers.<sup>27</sup> In Backerganj one in every four Namasudras (chandals), who were almost exclusively engaged in agriculture, sold their labour as farm servants or field labourers.<sup>28</sup> In Faridpur 22 per cent of the cultivators 'in comfort', 31 per cent of those 'below comfort', 36 per cent of those 'above want' and 37 per cent of those 'in want' were engaged as agricultural labourers.<sup>29</sup> In Jessore the Namasudras and Sheikhs were the field labourers.<sup>30</sup>

It is thus evident that many petty cultivators engaged themselves, in addition to their work on their own fields as part-time agricultural labourers on the fields of others. They belonged to the Hindu and semi-Hinduised cultivating castes such as the Namasudras, Koches, Haris, Santals, Sadgops, Bagdis, Bauris, Rajbangshis and Chasi Kaibartas and to the Mohammadan community.

### The immigrant labourers

The immigrant labourers formed the third source of hired labour. Again no statistical data are available. We have, however, documentary evidence that many labourers seasonally migrated to Bengal from outside.

The early history of the immigration of labourers cannot be traced because of the lack of evidence. All the sources on which our knowledge of immigration is based date from the early twentieth century. They do not trace the history of the growth of the practice. It is probable that the large-scale immigration of labourers began with the commercialization of agriculture in the later part of the nineteenth century which increased the need for hired labour.

The superintendent of Census Operations in Bengal for 1911 stated that labourers came to Bengal from Bihar and Orissa where the proportion of landless labourers to population was larger than in Bengal. In Bihar and Orissa over one-fifth of the total population subsisted by field labour.<sup>31</sup> In their memorandum to the Royal Commission on Agriculture in 1927, R.S. Finlow and K. Mclean, the Director and Assistant Director

<sup>27</sup>F.W. Strong, *Eastern Bengal District Gazetteers, Dinajpur* (Allahabad: Pioneer Press, 1912), p. 41.

<sup>28</sup>J.C. Jack, *Final Report on the Survey and Settlement Operations in the Backerganj District, 1900-1908* (Calcutta: Bengal Secretariat Book Depot, 1915), p. 18.

<sup>29</sup>J.C. Jack, *The Economic Life of a Bengal District* (Oxford: Oxford University Press, 1916), p. 84.

<sup>30</sup>L.S.S. O. Malley, *Bengal District Gazetteers, Jessore* (Calcutta: Bengal Secretariat Book Depot, 1912), p. 88.

<sup>31</sup>*Census of India (Bengal), 1911, Vol. V, Part I, p. 536.*



of Agriculture for Bengal reported that, though Bengal was one of the most densely populated provinces in India, "it employs many thousands of labourers from the Santhal Parganas of Bihar and the United Provinces .... The large jute collecting centres like Narayanganj, Chandpur and Seraiganj all employ large numbers of 'paschim walls' (westerners); and for a big jute crop in Bengal, Biharis are also employed in the reaping of the crop."<sup>32</sup> Sachse wrote that in November and in the jute season in July the Nuniyas, Dusads and others from Bihar came to Mymensingh to earn their livelihood by day-labouring.<sup>33</sup> Of Rangpur, Vas said that a large number of immigrants from Bihar and the Upper Provinces found employment during the cultivating and harvesting seasons.<sup>34</sup> According to Bell, labourers came to Dinajpur from all the North Bihar districts, from Gorakhpur and Ballia in the United Provinces and from the Santhal parganas.<sup>35</sup>

The immigrant labourers did not normally make Bengal their permanent home. They came to and stayed in Bengal during the peak seasons and returned home in slack seasons when there was less demand for labour. They used to come to and returned from Bengal by river, road or train. They lived either in the outhouses of their employers or in thatched houses erected by them on the homesteads of their employers.

### Conclusion

Labour for jute cultivation, therefore, came from family labour, landless labourers, 'dwarf-holding' labourers and immigrant labourers. The relative contribution of each component to the total labour force cannot be worked out statistically. We have data of ordinary cultivators and landless labourers; those of 'dwarf-holding' labourers and immigrant labourers are not available. If such shares could have been calculated at different periods, these would have enabled us to determine the relative importance of family and hired labour. It is, however, certain that full-time labour was inadequate. The use of part-timers, particularly the immigrant labourers, seems crucial. Though unskilled, they could be used for almost all operations of jute growing. Thus for jute cultivation the jute districts had to rely heavily on the immigrant labourers. However, the supply of labour, though augmented by the part-time labourers from

<sup>32</sup>Royal Commission on Agriculture in India, Vol. IV, Evidence Taken in Bengal (London: His Majesty's Stationery Office, 1927), p. 12.

<sup>33</sup>F.A. Sachse, *Bengal District Gazetteers, Mymensingh* (Calcutta: Bengal Secretariat Book Depot, 1917), pp. 86-87.

<sup>34</sup>J.A. Vas, *Eastern Bengal and Assam, District Gazetteers, Rangpur* (Allahabad: Pioneer Press, 1912), p. 82.

<sup>35</sup>Bell. *op. cit.*, p. 23.



both inside and outside Bengal was probably still inadequate in the early twentieth century. The reports of the district officers substantiate this view. Of the thirteen district officers whose reports the government received in 1914, seven considered scarcity and high wages of labour as one of the obstacles in the way of the expansion of jute cultivation.<sup>36</sup> Blackwood, the Director of Agriculture for Bengal, shared the views of the district officers.<sup>37</sup> It seems that shortage of labour was a serious restriction on the further expansion of jute cultivation by the close of the period under study.

<sup>36</sup>BRP, Br. Agri., August 1914, Progs. No. 6, from Vas, Collector of Khulna to Secy., Govt. of Bengal, RD, Jan. 9, 1914; Progs. No. 8, from Emerson, Collector of Mymensingh to Secy., Govt. of Bengal, RD, Jan. 16, 1914; Progs. No. 9, from Dunlop, Collector of 24 Paraganas to the Secy., Govt. of Bengal, RD, Jan. 22, 1914; Progs. No. 11, from Swan, Collector of Rajshahi to the Secy., Govt. of Bengal, RD, Jan. 28, 1914; Progs. No. 13, from Prentice, Collector of Hooghly to the Secy., Govt. of Bengal, RD, Feb. 10, 1914; Progs. No. 16, from Woodhead, Magistrate of Faridpur to the Secy., Govt. of Bengal, RD, Feb. 21, 1914; Progs. No. 20, from Milne, Magistrate of Murshidabad to the Secy., Govt. of Bengal, RD, March 2, 1914.

<sup>37</sup>BRP, Br. Agri., August 1914, from Blackwood to the Secy., Govt. of Bengal, RD, Jan. 5, 1914.



# A Comparative Study of the Distribution of Banking Facilities in Urban and Rural Areas of Bangladesh\*

Zainul Abedin

The word "bank" is derived from the Italian word "banco" which means a "bench". The early bankers, the Jews in Lombardy, transacted their business at benches in the market place. When a banker failed, his banco (bench) was broken up by the people, and from this idea the word "bank-rupt" originated. Sir John Paget prescribed four tests of banking business. These are: (a) taking of deposits, (b) taking of current accounts, (c) payment of cheques and (d) collection of cheques.<sup>1</sup> The British Parliament defined a bank as any firm or institution doing a bonafide banking business.<sup>2</sup> Geoffrey Crowther said that a bank is a dealer in debt—its own and other people's.<sup>3</sup> Thus a bank is an institution that deals in credit which in the processes of transactions creates 'money'. Banks are indebted to the depositors and the loanees are indebted to banks. So a bank acts as an intermediary between a depositor and a loanee investor.

Modern banking system is an evolutionary growth right from the Middle ages. The genesis of modern banks lay in the functions performed by the merchants, money-lenders and goldsmiths. These are the legitimate ancestors of banks. Discount, deposit and issue are the three main functions of commercial banks. They also act as agents, trustees, executors and administrators of estates.

The banking system of a nation is very important to the functioning of its economy. Banks act as an intermediary between savers and investors.

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<sup>1</sup>F.R. Ryder and D.B. Jenkins (eds.) *Thomson's Dictionary of Banking*, (London: Pitman, 1978), pp. 47-48.

<sup>2</sup>Geoffrey Crowther, *An Outline of Money*. (Delhi : University Book Stall, 1977), P. 77.

<sup>3</sup>Crowther, *Ibid*, p. 77.



They also create and distribute credit and money and provide a large portion of medium of exchange in the economy of a country. They thus facilitate the flow of goods and services from producers to consumers and keep the economy active. In this respect their role is unparalleled in the development of an economy. Naturally it is expected that the banking system of Bangladesh would play a vital role in the economic development of the country and pave the way out of her extreme poverty.

With this hope and aspiration the Bangladesh Bank (Nationalization) Order 1972 was promulgated on 26 March by the President of the People's Republic of Bangladesh.<sup>4</sup> The objective was to establish public ownership over the banks' resource and to make those available for the overall economic development of the country. Since nationalization, the Banks in Bangladesh expanded tremendously, in terms of branches, employees, deposits, advances, incomes and expenditures. They experienced successes as well as failures in dealings with loan projects. About a decade later with the Government's pursuit of privatisation policy, commercial banks were allowed to operate in the private sector and also two public banks, namely Uttara and Pubali, were denationalised in 1983. In the meantime a high powered National Commission on Money, Banking and Credit was appointed by the Government to review the activities of monetary, banking and financial institutions and to come up with pragmatic recommendations. The Government has recently disclosed a plan of partial denationalization of such banks as Agrani, Janata and Rupali. So the commercial banking system of Bangladesh has been passing through different stages of very interesting developments.

In the British and Pakistan periods the commercial banks concentrated their activities only in urban areas. They understandably neglected the rural areas. They did class banking instead of mass banking. The nationalization of banks was supposed to switch over to mass banking. The purpose of this article is to investigate what has really happened in the recent past. In what follows an attempt has been made to delineate the different dimensions of the distribution of banking facilities in urban and rural Bangladesh in recent years. The comparative picture indicates the concentration of most of the banking facilities in urban areas. But the growth of branch expansion shows a different picture (Table 1) after nationalization of banks when branch expansion in rural areas outpaced that in urban areas.

<sup>4</sup>GOB, *The Bangladesh Gazette, Extraordinary*, (26 March, 1972). President's Order No. 26 of 1972.



TABLE 1

## Growth of Expansion of Bank Branches

Areas/Year	1972 (June)	1985 (June)	Percentage increase over the 13 years (%)	Average Annual increase (%)
1	2	3	4	5
A. Rural	416	3335	702	54
B. Urban	757	1628	115	9
Total (A+B)	1173	4963	323	25

Source : Scheduled Banks Statistics, Bangladesh Bank, different issues.

It is clear from Table 1 that the total increase in the expansion of bank branches was 323 per cent, but in the case of rural areas it was 702 per cent, 115 per cent in urban areas. Similarly, the average annual increase in rural branches (54 per cent) was more than double the national average (25 per cent.) and it witnessed six-fold increase over expansion of bank branches in urban areas (9 per cent). Table 2 shows the trend of expansion of bank branches in different years starting from 1971 to 1985.

TABLE 2

Number of Bank Branches Operating in  
Urban and Rural Bangladesh

Year	Rural Branch	Urban Branch	Total
1	2	3	4
1971	412	757	1169
1972	416	757	1173
1973	519	780	1299
1974	694	798	1492
1975	784	836	1620
1976	860	907	1767
1977	1100	966	2066
1978	1591	1165	2756
1979	1996	1265	3261
1980	2457	1363	3820
1981	2851	1527	4378
1982	2932	1538	4470
1983	3050	1553	4603
1984	3225	1592	4817
1985	3335	1628	4963

Source: Compiled from different issues of Scheduled Banks Statistics, Bangladesh Bank.

Note: Number of branches relate to midtime (June) of every year except 1971 in which it refers to end of the year (December).



It clearly exhibits that the number of bank branches increased from the total of 1169 in 1971 to 4963 in 1985. The phenomenal expansion of branches helped mobilisation of larger volume of deposits. The total amount of deposits stood at Tk. 8432.72 crores (including the deposits of BSB & BKB but excluding inter bank transfers) on 30 June 1985 as against Tk. 339.42 crores in December, 1971. Though the number of rural branches is roughly twice that of urban branches, the volume of rural deposits is still about one fifth of the urban deposits. This is largely because of the subsistence nature of our rural economy. The penetration of bank branches into the rural areas should be encouraged so that more financial resource can be mobilised in rural areas for making further investment there with the objective of transforming the rural economy into a monetised, modern one.

Tables 3 and 4 below exhibit the extent and rate of growth of deposits and advances respectively. In the 10 years under study total

TABLE 3

Area (Urban/Rural) and Divisionwise

Growth of Deposits

(In Crores Taka)

Division	Area	1975 (June)	1985 (June)	Percentage increase over the 10 years (%)	Average Annual increase (%)
1	2	3	4	5	6
Chittagong	Urban	279.90	1924.45	588	59
	Rural	39.21	659.30	1581	158
	<b>Total</b>	<b>319.11</b>	<b>2583.75</b>	<b>710</b>	<b>71</b>
Dhaka	Urban	586.63	4831.81	724	72
	Rural	24.05	365.38	1419	142
	<b>Total</b>	<b>610.68</b>	<b>5197.19</b>	<b>748</b>	<b>75</b>
Khulna	Urban	79.85	537.84	574	57
	Rural	18.66	240.42	1188	119
	<b>Total</b>	<b>98.51</b>	<b>778.26</b>	<b>690</b>	<b>69</b>
Rajshahi	Urban	71.41	446.33	525	53
	Rural	24.80	350.79	1314	131
	<b>Total</b>	<b>96.21</b>	<b>797.12</b>	<b>729</b>	<b>73</b>
Bangladesh	Urban	1017.79	7740.43	661	66
	Rural	106.72	1615.89	1414	141
	<b>Total</b>	<b>1124.51</b>	<b>9356.32</b>	<b>732</b>	<b>73</b>

Source : Calculated from different issues of *Scheduled Banks Statistics* of Bangladesh Bank.



deposit increased by 732 per cent while the advance increased by 872 per cent. Refinancing facilities from Bangladesh Bank for the priority sectors as well as the grants and aids from abroad enabled the banking system to advance a total amount of Tk. 8933.19 crores against a total deposit of Tk. 9356.32 crores in 1985. For the same reason the credit deposit ratio of the scheduled banks rose to 120.14 (which is the highest in post-liberation period) per cent in 1981-82 financial year.<sup>5</sup>

TABLE 4

Area (Urban/Rural) and Divisionwise  
Growth of Advances

(In Crores Taka)

Division	Area	1975 (June)	1985 (June)	Percentage increase over the 10 years (%)	Average Annual increase (%)
1	2	3	4	5	6
Chittagong	Urban	127.85	1151.54	801	80
	Rural	9.51	542.78	5607	561
	<b>Total</b>	<b>137.36</b>	<b>1694.32</b>	<b>1133</b>	<b>113</b>
Dhaka	Urban	669.43	4311.76	544	54
	Rural	9.08	791.02	8612	861
	<b>Total</b>	<b>678.51</b>	<b>5102.78</b>	<b>652</b>	<b>65</b>
Khulna	Urban	69.93	568.01	712	71
	Rural	5.53	388.13	6919	692
	<b>Total</b>	<b>75.46</b>	<b>956.14</b>	<b>1167</b>	<b>117</b>
Rajshahi	Urban	21.01	355.97	1594	159
	Rural	7.05	823.98	11588	1159
	<b>Total</b>	<b>28.06</b>	<b>1179.95</b>	<b>4105</b>	<b>410</b>
Bangladesh	Urban	888.23	6387.28	619	62
	Rural	31.17	2545.91	8068	807
	<b>Total</b>	<b>919.40</b>	<b>8933.19</b>	<b>872</b>	<b>87</b>

Source: Calculated from different issues of *Scheduled Banks Statistics of Bangladesh Bank*.

Another feature which the Tables indicate is that the relative increase in both deposits and advances is higher in rural areas than in urban areas though the absolute increase in both the items is undoubtedly higher in urban than in rural areas. The average annual increase in deposit was 73 per cent while the same were 66 per cent and 141 per cent for urban and rural areas respectively. Similarly, the average annual increase in advance

<sup>5</sup>Economic Trends, Vol. X, No. 8 (August, 1985), Bangladesh Bank, p. 5.



was 87 per cent but the same for urban and rural areas are 62 per cent and 807 per cent respectively.

Table 5 indicates a very important aspect of banking operation called deposit-advance structure. Till 1982 the percentage share of rural advance was lower than that of rural deposit. The position has changed since 1983. By 1985 the percentage shares of rural deposit and advance were 17.27 and 28.50 respectively. It means that before 1983 resources were transferred from rural areas to urban areas and from 1983 onward the course has taken the opposite direction by mobilising some resources from urban to rural areas. This reversal of the trend since 1983 is brought partly by refinance facility from Bangladesh Bank and partly by different donor agencies' fund. The efforts of the nationalized commercial banks is also an important factor for bring about this change. The situation may further improve in future because of the development expenditure flowing in the Upazillas. But proper appraisal of various types of agricultural projects is a pre-requisite for any credit planning. Unless due consideration to all forward and back-

TABLE 5

Percentage Distribution of Advances and  
Deposits by Areas (Urban and Rural)  
(in %)

Year	Advance		Deposits	
	Urban	Rural	Urban	Rural
1	2	3	4	5
1975	96.01	3.39	90.51	9.49
1976	96.53	3.47	90.21	9.79
1977	92.91	7.09	86.81	13.19
1978	91.57	8.43	85.45	14.55
1979	88.94	11.06	84.69	15.31
1980	88.12	11.88	84.00	10.00
1981	86.97	13.03	83.55	16.45
1982	86.59	19.41	83.37	16.63
1983	80.52	19.48	82.34	17.66
1984	74.22	25.78	82.94	17.06
1985	71.50	28.50	82.73	17.27

Source: Calculated from different issues of *Schedule Banks Statistics*, Bangladesh Bank.

Note: Data relates to the 31st December of every year except 1984 and 1985 in which it relates to the 30th June.



# Distribution of Banking Facilities

ward linkages and supply of essential inputs is given, the impact of rural credit on the national economy may be unfavourable. In this regard the Upazilla authorities may play an important role in improving the conditions of credit marketing.

Table 6 throws some light on the Divisional variations in the growth of branches, per capita deposits and advances. It also shows increases in per capita deposits and advances in different divisions during the last five years. It is clear from Table 6 that the increase in the number of bank branches, per capita deposits and per capita advances showed a rising trend over the last five years in all the four Divisions of Bangladesh. The rates of growth of per capita deposits and advances are higher in Rajshahi Division than those in other three Divisions. But even then the absolute

TABLE 6  
Division-wise Distribution of Branches Per capita Deposits and Per capita Advances on the Basis of Population for Selected Years

Name of Division	Year	No. of Branches	Population per Branch	Per Capita Deposit	Per Capita Advance
1	2	3	4	5	6
Dhaka	1980	1150	22,987	592	690
	1981	1327	20,345	720	858
	1982	1348	19,473	829	1136
	1983	1381	19,007	1059	1293
	1984	1437	18,262	1513	1495
Chittagong	1980	1078	21,371	326	167
	1981	1242	18,941	402	221
	1982	1273	17,725	436	274
	1983	1316	17,147	635	329
	1984	1385	16,314	871	539
Rajshahi	1980	865	24,963	106	66
	1981	1001	22,082	140	92
	1982	1026	20,553	162	162
	1983	1059	19,912	216	225
	1984	1113	18,987	313	380
Khulna	1980	687	25,635	148	122
	1981	808	22,275	181	158
	1982	823	20,851	200	205
	1983	847	20,248	251	240
	1984	882	19,446	324	359

Source: *Schedule Bank's Statistics* of Bangladesh Bank, different issues.

Note: Data relates to the 30th June of every year.



amounts of per capita deposits and advances were smaller in both Rajshahi and Khulna Divisions. This is because of their poor economic bases. In absolute term the per capita deposits and per capita advances of these two Divisions were much lower than those of Dhaka and Chittagong Divisions. In 1984 the per capita advances of both Rajshahi and Khulna Divisions were higher than their per capita deposits. But prior to this year the reverse situation was visible. On the contrary, the per capita advances was always lower in Chittagong Division than the per capita deposits, while in Dhaka Division the per capita advance was always higher than the per capita deposits except in the year 1984. It is necessary to remove these regional imbalances through proper policies and practical operations.

Table 6 also reveals that population per bank branch was the lowest in Chittagong Division (16314 persons in 1984) while it was the highest in Khulna Division (19446 persons in 1984). But if we compare these figures with those of any other developed country, we would be dismayed to see the inadequacies of our banking facilities. A bank branch is operating for every 5,000 population in some developed countries, but in our case a branch is operating for nearly 20,000 population. In rural areas the inadequacies of banking facilities are more severe.

Concentration of banking facilities in urban areas as well as in a few hands is a matter of serious concern. The concentration ratio in bank advances stood at 0.79, while the same in bank deposits at 0.81 on June 30, 1985. Nearly one per cent of the loanees borrowed more than 60 per cent of the advances of scheduled banks. Similarly more than 50 per cent of the deposits of all scheduled banks are owned by less than one per cent of the total depositors (Table 7).

TBAL 7

Concentration Ratios in Bank Deposits and Advances (As on 30 June, 1985)<sup>6</sup>

Deposits		Advances	
% of Account (pi)	% of Amount (qi)	% of Account (pi)	% of Amount (qi)
Bottom		Bottom	
87.58	14.68	82.50	15.85
92.99	20.11	93.55	21.36
96.63	28.16	96.55	25.23
98.21	36.24	98.19	29.39
99.27	46.51	99.24	39.43
99.81	59.03	99.57	63.28
100.00	100.00	100.00	100.00
Concentration Ratio=	0.81	—	0.79

<sup>6</sup>Formula used for concentration ratio measurement is:  $c = \frac{pi}{qi} + 1 - \frac{pi}{1 + qi}$ .



It is clear from facts stated above that the resources were being mobilised from rural to urban areas till 1982 by the banking system. Since 1983 this transfer of resources was stopped; but due to the subsistence nature and poor base of our rural economy, the volume of resource mobilisation falls short of the resource requirement. To fill up this shortage as well as to reduce the concentration of financial resources in urban areas, adequate policy measures should be undertaken by the monetary authority aiming at mobilising more resources in rural areas. Side by side fiscal and administrative measures should also be taken to increase public expenditure and investment in rural areas and to ensure input supply as well as the utilisation and repayment of credit. Organization and physical infrastructure are also necessary for developing our rural economy. It is expected that the present Upazilla system, if functions properly it may help to achieve the above goals.

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It is clear from facts stated above that the resources were being mobilized in order to reach areas still left by the banking system. Since 1921 the transfer of resources was stopped, but due to the shortage of funds and the lack of capital resources, the volume of transfers was not able to meet the requirements. It is in this shortage as well as in the concentration of financial resources in urban areas, and in the measures which are undertaken by the monetary authority aiming at increasing the resources in rural areas, that by side fiscal and administrative measures should also be taken to increase public expenditure and investment in rural areas and to ensure financial supply as well as the necessary and systematic of credit organization and physical infrastructure are also necessary for developing rural economy. It is pointed that the present situation is such that the property it may help to achieve the above goals.

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# Level of Living Style Among The Muslims and The Hindus in A Bangladesh Village

A.F. Imam Ali

## Introduction

Social stratification can be studied by taking into consideration a number of socio-economic and political variables such as, land, income, education, occupation, political power, level of living style, skill etc. Among these variables, level of living style is considered to be an important indicator of social stratification. The purpose of this paper is to show that in both religious groups—the Muslims and the Hindus, level of living style is dependent upon caste status. Before going deep into the problem referred to above, it is necessary to say few words on caste system. Because, in the present study the concept (caste), which is hitherto considered to be only a Hindu phenomenon by most of the sociologists, will be applied to the Muslims also. No doubt, there has been a dispute among the social scientists not only in defining but also in using the concept. One group of sociologists Weber (1967), Srinivas (1952, 1962), Hutton (1961), Ahmad (1978) and others argue that it is peculiar to the Hindus only as a result its use should be restricted to the Hindus only. But another group of sociologists (Leach, 1960), D'Souza (1981), Jain (1967) argue that this concept is applicable to the other religious categories namely, the Muslims, the Christians, the Sikhs, the Parsis etc. To remove the ambiguities built around this concept we would like to deal with some important aspects of caste namely, its definition, causal analysis of caste, structural and cultural aspects of caste.

The concept is frequently used by the people to denote both 'Jati' and 'Varna'. But 'Jati' and 'Varna' do not refer to the same thing because, 'Varna' refers to one of the four major categories namely, the Brahmins, the Kshatriyas, the vaishyas and the sudras, into which the Hindu society is traditionally divided. The 'Jati', on the contrary, is much more smaller group. With a view to defining the concept the scholars could not arrive at a common agreed definition. As for example, defining the concept,



the Indian sociologist Beteille revealed some of its important characteristics namely, endogamy, hereditary membership, hereditary occupation, ritual status etc. (Beteille, 1969:46-48). Among the variables mentioned above, it seems, Beteille considered either 'endogamy' or 'ritual status' to the basic unit in the caste system. In fact, 'endogamy' is not an independent variable rather it a dependent one. For, endogamy has been found to be a universal phenomenon in all societies. The inter-marrying groups, according to the rules of hypergamy, are treated as castes. Even, under the unilinear rules of kinship the inter-marrying groups can maintain their separate entity (D'Souza, 1967:194-195). In recent time, Berreman has discredited the use of the term 'endogamous group' in favour of 'hereditary group' (Berreman 1979), indicating that 'heredity' is the independent variable in the caste system (D'Souza, 1981:66-81). Moreover, ritual status, as will be shown later on, is also a dependent variable in the caste system although few others namely, Weber (1967), Srinivas (1962) and others have considered it to be the independent variable. Dealing with the caste system Ghurye mentioned its six main characters such as, (i) segmental division of society; (ii) hierarchy of groups; (iii) restrictions on feedings and social intercourse; (iv) civil and religious disabilities and privileges of the different sections; (v) lack of unrestricted choice of occupation (Ghurye, 1979:1-18). No doubt, these are very important elements in caste system. But it is important to note that though Ghurye considered these elements as constituting a system but he himself finds it difficult to explain the behaviour patterns of the elements within the system (D'Souza, 1967:192). The Indian caste-stratified society is manifesting changes in almost every aspects of life but the endogamous character of various castes does not show any significant change. With a view to resolving this kind of inconsistency Ghurye maintained that endogamy is the essence of caste system. MaClver and Page (1971:48) defined class as "any portion of a community marked off from the rest by social status" and argued that in the class system individual's status is not fixed, on the contrary, when the status is wholly predetermined then the class system takes the extreme form of caste. In short, the views held by MaClver and Page not only indicate that caste system evolved from the class system but also reveal that a caste group is endogamous and its endogamous character is derived from the predetermined and fixed status of the individual members. These views are not acceptable because "both the concepts do not satisfactorily explain the change in the behaviour pattern ordinarily subsumed under the phenomenon of caste system. They also do not explain the historical process of the formation of caste groups. It is not clear how the status of member in a caste group is pre-determined. Above all,



they fail to indicate the process of transformation of one form of stratification system into another" (D'Souza, 1981:193). The fact is that, in the determination of endogamy there are large number of factors such as, geographical, cultural, racial, kinship etc. and social status is only one of them in the determination of endogamy. So, in the caste system, not 'endogamy' but 'heredity' is to be considered as independent variable.

The views held by Beteille, Ghurye, MacIver and Page cannot be taken as the scientific explanation as a result, we are to go for a definition which gives a scientific explanation of it. Caste system may be defined "as the integration of the interacting and heterogeneous, but internally homogeneous hereditary groups into a structure of status hierarchy" (D'Souza, 1969:35). This definition is scientific because, unlike other definitions, it has two important elements namely, (i) it describes caste system as a superior or sub-ordinate relationship among hereditary groups and (ii) it explains the conditions under which such a relationship takes place. It is important to note that a caste group has an identity of its own and has a communal character, as a result, it is more appropriate to call it an ethnic group which is also a hereditary group (D'Souza, 1981:61). Regarding the mode of formation of caste groups it can be said that by itself the ethnic group is not a caste but it becomes so when it is integrated with other groups in a gradation of status. The mere existence of ethnic groups, in a society does not automatically give rise to caste system. In the words of Weber, "... the development of status groups from ethnic segregation is by no means the normal phenomena" (Weber, 1967: 25). One should very carefully note that there are two preconditions for the formation of caste groups: (i) the various caste groups are to be drawn together in a single socio-economic and political system, in which the different groups become socially significant to one another; (ii) the other important precondition is that the groups should have certain differential properties by virtue of which they are graded hierarchically (D'Souza, 1981: 63).

In order to resolve the ambiguities built around this concept it is also necessary to give a causal analysis of the variables in the caste system. To note that in the caste system, the various correlated variables such as, caste status, ritual status, economic status, power status, occupational status etc. have been considered to be the causal variables. But the main problem is that their relationships have not been brought out in a configuration of cause and effect. Further, these variables have not been sorted out as central, causal and dependent for the purpose of analysis though some authors namely, Hutton (1961:46-110), Srinivas (1952: 31) and others have taken it for sure that social status of a caste is determined by its ritual status.



In resolving these ambiguities D'Souza has made a significant contribution, which we would like to mention here in support of our argument. He divides these variables into three major types: (a) variables which are central to the definition of caste; (b) variables which cause of the central variables; and (c) variables which are dependent upon the central variables. To him, caste status (rank) is the central variable in the caste system; the occupational status, among other socio-economic and political variables, is the causal variable and ritual status is the dependent variable on the central (D'Souza, 1981: 67). Caste status is the central variable in the concept of caste because it can be empirically measured by asking the members of a community to rank the various castes according to their social status.\*

It may be noted that the caste has both structural as well as cultural aspects; the structural aspects of caste (refer to the determinants of castes) are common both to the Muslims and the Hindus. The cultural aspects of castes refer to the mode of expression of status differences among castes which are specific to each culture. For example, among the Hindus status differences are expressed in terms of ritual purity and pollution. Among the Muslims, ritual purity and pollution do not certainly work but one has to admit that there are other ways through which status differences among the Muslims are expressed (D'Souza, 1959, Barth, 1960).

To note, among the Muslims there are various hereditary groups such as, Bhuiyan, Kazi, Saiyyad, Kulal, Talukdar, Chowdhury, Maji, Julha, etc. These groups are mutually exclusive; practise endogamy; usually live in areas physically separated from each other. Moreover, the members of the community are able to arrange these groups in a structure of status hierarchy. These are certainly the attributes of caste. Then where are the problems of using this concept to the Muslims and also to other religious categories? The problems, seem to me, lying with the authors who favour its use to the Hindus only, are manifolds: (i) these scholars define caste from cultural dimension; (ii) either ritual status or endogamy is taken by them as the independent variable, which we have stated earlier, is a dependent one, (iii) these scholars failed to understand that same variables which determine the status of the individual also determine the status of the caste groups belonging to all

\*Earlier it was assumed that in the caste system, the status of the individual is determined by the status of his caste (See, Dumont (1972), Berreman (1979), Srinivas (1952), Weber (1967) on the contrary, in the class system the individuals gets their status from their own attributes. But we would like to take a different stand, the status of the group is not independent of the attributes of its individual members. The same variables which determine the status of the individual are also responsible for determining the status of the group (D'Souza, 1981: 67).



religious groups. Finally, these scholars, without giving any serious thought on the central, causal and dependent variables have come to the conclusion that caste is peculiar to the Hindus only. This notion has to be rejected, it is applicable to other religious groups D'Souza (1981), Leach (1960), Jain (1967), Bhatti, Siddiqui in Ahmad (ed. 1978), Forrester (1980).

### **Methodology**

It is necessary to say few words on the selection of the village as well on the sampling design followed in this study. With a view to ascertaining the level of living style among both the Muslims and the Hindus a traditional village, inhabited by both the Muslims and the Hindus, was selected purposively. The village under reference is situated thirty miles away from the city of Chittagong.

To draw the samples, a complete list of the households was compiled by conducting a door to door survey. To conduct this door to door survey a 'Household census schedule' was formulated for getting some background information (name of the heads of the households, name of the ecological area residing in, total number of members (male and female) in the households, religion, caste, occupation, place of education, level of education, type of house ect) on heads of the households.

In the rural community caste groups are composed of the families (households). These families are taken as units of study. Since the families are represented by the heads of the households as a result the heads of the households have been taken as the basic units to furnish relevant data. In the rural areas the composition of various caste groups are very complex—some caste groups are numerically very larger, the others are smaller. This village is not an exception in this respect. For example, the Talukdars are numerically most preponderant comprising 33.6 per cent of the total population. This caste group is followed by other caste groups namely Sikdar, Chowdhury, Kazi etc. The Muslims comprise 89.5 per cent of the total population which the Hindus make up only 10.5 per cent. The Muslims are divided into 14 caste groups, on the other hand, the Hindus are divided into 7 caste groups. On account of lack of resources it was not possible to study all the households of the village. Therefore, sample had to be drawn from the households to be studied.

As mentioned earlier, the caste groups are numerically very uneven. Therefore, a sampling design which gives equal weightages to every caste groups would have reduced the significance of the smaller groups. So, a stratified sampling design giving different weightages to caste groups of different sizes was adopted in this study.



Taking into consideration this structural complexity, the stratified caste groups are divided into two categories namely, the Muslim caste groups and the Hindu caste groups on the basis of religion. The Hindus are in a minority, represent only 10.5 per cent of the universe, as a result all the heads of the households of various caste groups are included in the sample. The Muslims are numerically preponderant but all the caste groups are not equally distributed as far as the numerical strength is considered. Because of this structural problem, the various Muslim caste groups are classified into the following size categories on the basis of their numerical strength to facilitate all the caste groups to be represented in the sample.

Size A (Cast upto 14 households)

Size B (Caste from 15-31 households)

Size C (Caste from 32-48 households)

Size D (Caste from 49-126 households)

Size E (Castes from 127-177 households)

Size F (Castes from 178 and above).

Since A is the smallest caste category as a result all the heads of the households belonging to this caste groups are included in the sample. From group B,  $\frac{1}{2}$ ; from group C,  $\frac{1}{3}$ ; from group D,  $\frac{1}{4}$ ; from group E,  $\frac{1}{5}$  and finally from group F,  $\frac{1}{6}$  are included in the samples following a systematic random sampling. The kind of samples procedure may be justified on the ground that every castes will be treated as a separate unit in the proposed study.

As already mentioned, the purpose of this study is to show that level of living is a dependent variable while the caste status\* is an independent variable. It is to note that level of living style is an important variable in the study of Social Stratification. In the rural communities, the caste status of a person can be judged not only from his dress pattern, style of speech, but also from his level of living style—from the type of house he lives in, the conditions of the households articles

\*Previously, the status of the caste was assumed to be independent of their individual members. But this view has been rejected. Now, it is argued that the status of the group is dependent upon the status of its individual members. In the caste system, the group derives its status from its relevant properties; the relevant properties of the group are none other than the attributes of its individual members. In fact, the same variables (socioeconomic and political) which determine the status of the individuals are also responsible for determining the status of the group. Here caste status is operationally defined "as the prestige gradation or social evaluation of the relevant caste groups by the members of the community" and the operational counterpart of the caste status may be designated as caste ranking.



and amenities. No doubt, in the past, it was more easier for an individual to make this kind of distinction. But, nowadays the village communities, to some extent, have been changed. In the changing situations one may find difficulty in making this distinction. But, a careful observation still helps one to make the distinction mentioned just above.

In rural communities, the individuals of higher caste groups live in big houses, with separate rooms for each couple and also for adult members. They have a separate guest-room, many household articles of sophisticated type, separate drawing room (Baithak Khana or Kachari Ghar), bath room, kitchen etc. On the other hand, the households of individuals belonging to lower castes give a different picture. That is, the individuals of lower caste groups live in small katcha houses, mostly of one room. This is the only place where they sleep, cook, eat and receive guests also. In special circumstances, particularly in the rainy season, the individuals of lower caste groups live with their cattles together in the same room. They have very little household articles. A similar observation was made by Sarma (in Srinivas (ed.) 1977: 180-201) a village of West Bengal.

While studying the changing social stratification in rural Punjab Sohi points out that the higher caste groups to have higher level of living style and the style comes down along the decent of the caste hierarchy (Sohi 1977: 281). In Bangladesh no such attempt is made earlier to measure the level of living style of the heads of the households belonging to various caste groups. However, from this kind of observation it was assumed that there would be a variation in the level of living style of the various caste groups. In other words, from the above mentioned discussions it was hypothesized that 'higher the caste higher would be the level of living style in both the religious categories'.

The relationship between caste status and the level of living style has been shown by various scholars. Chapin (1928: 99-111), Lundberg, (1942: 29-39), Guttman (1942: 362-369) and others have constructed various scales for this purpose. But in this study an attempt has been made to prepare only a rough index. In preparing index some items indicating the level of living style of various caste groups are taken into consideration.

To ascertain the level of living style of the heads of the households of both the religious categories all the articles of the households cannot be taken into consideration. As a result, a judgemental selection of the household articles was made. The articles which are purely for household use only were taken into consideration. The household articles (shown in Table A) were selected for judging the level of living style of the heads of the households of both the Muslims and the Hindus. Of course, one may raise objection to these indicators used for measuring the level of living style. In fact,



TABLE A

## Index of Level of Living Items

(A) BAITHAK KHANA (DRAWING ROOM) ARTICLES	SCORE
1. Sofa Set	(2)
2. Carpet	(2)
3. Cassette (Tape Recorder)	(2)
4. Radio	(1)
5. Dressing Table	(2)
6. Chair/Table	(1)
7. Newspaper	(2)
(B) KITCHEN ARTICLES	
1. Silver Utensils	(2)
2. Crockery	(2)
3. Stove (Kerosine)	(1)
(C) HOUSE ARTICLES	
1. Steel/Wooden Almirah	(2)
2. Motor Cycle	(2)
3. Sewing machine	(2)
4. Camera	(2)
5. Bycle	(1)
6. Callendar	(1)
7. Watch/Time piece	(1)
(D) TYPES OF HOUSES AND OTHER AMENITIES	
1. Double Storied house (Pucca)	(3)
2. Pucca house	(2)
3. Katcha house	(1)
4. Separate drawing room	(1)
5. Separate bath room	(1)
6. Separate kitchen	(1)
7. Separate Latrine	(1)
8. Tubewell	(2)

these procedures are arbitrary and it is very difficult to arrive at a consensus regarding the use of the indicators. However, though this measurement is not perfect yet certainly it has meaning in the study of social stratification.

To ascertain the level of living of the households, different weightages (scores) 1-3 were given to the different articles and amenities. The articles were divided into two categories namely, the simple and sophisticated. The simple articles or amenities are those which are commonly available and



these are given score 1 (one). Score 2 (two) is given to the articles and amenities, which are sophisticated. The articles and amenities which are rare and are highly valued by the villagers are given score 3 (three). The score assigned to an article or amenity, is given in parenthesis against each article or amenity. The highest score, which a particular household can get is 40. The total score has been divided into five categories. These are as follows:

## LEVEL OF LIVING STYLE CATEGORIES

	(Score)
1. Very low	0 to 8
2. Low	9 to 16
3. Moderate	17 to 24
4. High	25 to 32
5. Very high	33 and above

The level of living style of the heads of the households of various caste groups are presented in Table 1 and 2 for the Muslims and the Hindus respectively. One can see that among the Muslims (table 1) a

TABLE 1

Level of living style of the heads of the Muslim households by castes

Sr. No.	Castes of the heads of the Households	Level of living style					Total	Average score
		1 Very high	2 High	3 Moderate	4 Low	5 Very low		
1	Kazi	3	5	17	5	2	32	306.2
2	Chowdhury	1	4	13	7	6	31	258.1
3	Saiyyad	—	1	1	—	—	2	350.0
4	Khandokar	—	1	5	4	2	12	241.7
5	Talukdar	2	6	24	13	16	61	242.6
6	Shaikh	1	2	10	4	5	22	254.5
7	Sikdar	1	5	14	6	10	36	247.2
8	Munshi	1	2	5	4	1	13	284.6
9	Mulla	—	—	—	2	—	2	200.0
10	Kulal	—	2	5	3	8	18	205.5
11	Maji	—	—	4	5	7	16	181.2
12	Sarang	—	—	4	4	6	14	185.7
13	Fakir	—	—	3	3	10	16	156.2
14	Khalifa	—	—	2	4	8	14	157.1
Total		9	28	107	64	81	289	
		(3.1)	(9.6)	(37.1)	(22.1)	(28.1)	(100.0)	



TABLE 2

Level of living style of the heads of the Hindu households by castes

Sr. No.	Castes of the heads of the households	Level of living style					Total	Average score
		1 Very high	2 High	3 Moderate	4 Low	5 Very low		
1	Brahmin C*	1	3	10	2	—	16	318.7
2	Brahmin A**	—	1	7	2	1	11	272.8
3	Banik	—	—	16	7	5	28	239.3
4	Barui	—	1	5	10	16	32	171.9
5	Nath	—	—	3	8	37	48	129.2
6	Shill	—	—	2	4	7	13	161.5
7	Malakar	—	—	—	—	2	2	100.0
Total		1 (0.7)	5 (3.3)	43 (28.7)	33 (22.0)	68 (45.3)	150 (100.0)	

\* Brahmin Chakrabarti

\*\* Brahmin Acharjee.

few heads of the households of relatively higher caste groups namely, Kazi, Chowdhury, Talukdar, Shaikh and Sikdar have 'very high' level of living style. It can also be observed from this table that only one head of the households of relatively lower caste group (Munshi) has 'very high' level of living style. A careful observation of data shows as the caste status goes down the level of living style by and large also goes down correspondingly. Table 2 indicates that among the Hindus, only one head of the household of the higher caste (Brahmin C) has 'very high' level of living style. As one goes down along the caste hierarchy, the level of living style also becomes low correspondingly. One can also observe from table 1 that among the Muslims 3.1 per cent heads of the households have 'very high' level of living style, while 28.1 per cent have 'very low' level of living style. Among the Muslims relatively greater number of the heads of the households (37.1%) belong to the 'Moderate' Category. On the other hand, among the Hindus (table 2) 0.7 per cent heads of the households have 'very high' level of living style. Among the Hindus relatively a greater number of the heads of the households (45.3%) enjoy 'very low' level of living style. It can also be observed from this table that 43 (28.7%) heads of the Hindu households to the 'Moderate' category.

For showing the relationship between caste status and the level of living style more clearly an average score for each caste was calculated.



For calculating this average score for each caste the various weightages from 1 to 5 were given to different levels of living style. The total score obtained by a caste group was multiplied by 100 and was divided by the total number of the heads of the households of that caste group.

The data furnished in table 1 show that among the Muslims as the caste status declines the average prestige score also goes down along the descent of caste hierarchy. Among the Muslims in the case of Saiyyads one can observe discrepancy between caste status and average prestige score. This can be ignored if one takes into account the sample size of this caste groups.

Another Muslims caste namely, Munshi, has been given much lower position than what is expected by its average score. A discrepancy between caste status and socio-economic average prestige score of this caste group was also observed. The reasons for this kinds of discrepancy can be explained taking idea from the theory of cultural lag. (Ogburn, 1921).

Among the Hindus (table 2) the caste status and average score correspond to each other to a large extent. This shows that among the Hindus as the caste status goes down the average prestige score also goes down along the descent of caste hierarchy.

For showing the level of living style among the higher and the lower castes of both the religious categories more clearly, the various caste groups have been categorized into two strata namely, higher and lower. Among the Muslims the various caste groups from Kazi to Sikdar are taken into 'higher' category while the remaining 7 caste groups are included in 'lower' category. Among the Hindus, the first 2 caste groups (Brahmin (C) and Brahmin (A) are included in 'higher' category while the remaining 5 caste groups are compressed together in 'lower' category. It is important to note that the various caste groups of both the Muslims and the Hindus are not divided into higher and lower strata abruptly. The various caste groups were ranked by the respondents. The medians were calculated to assign rank position for each caste group. Further, to divide the caste groups into two strata—higher and lower, medians were taken into consideration. The various levels of living style are farther categorized into two categories namely, 'high' and 'low'. The first three categories (1, 2 and 3) are included in 'high' category and the remaining 4 and 5 categories are combined together in 'low' category. The level of living style of the heads of the households belonging to both higher and lower caste strata presented in Tables 3 and 4 for the Muslims and the Hindus respectively.

From Table 3 it can be observed that among the Muslims, 116 (59.2%) heads of the households of higher caste stratum have 'high' standard of



TABLE 3

Level of living of the heads of the Muslim households by caste strata

Caste strata of the heads of the households	Level of living style		Total
	High	Low	
Higher	116 (59.2)	80 (40.8)	196 (100.0)
Lower	28 (30.1)	65 (69.9)	93 (100.0)
Total	144 (49.8)	145 (50.2)	289 (100.0)

$$\chi^2 = 21 ; df = 1 \text{ and } p .01$$

TABLE 4

Level of living of the heads of the Hindu households by caste strata

Caste strata of the heads of the households	Level of living style		Total
	High	Low	
Higher	22 (81.5)	5 (18.5)	27 (100.0)
Lower	27 (22.0)	96 (78.0)	123 (100.0)
Total	49 (32.7)	101 (67.3)	150 (100.0)

$$\chi^2 = 35.7; df = 1 \text{ and } p .01$$

living, the remaining 80 (40.8%) have 'low'. On the other hands, in the lower caste stratum, the heads of the 28 (30.1%) households have 'high' standard of living, while the remaining overwhelming majority 65 (69.9%) have 'low' standard of living. It is revealed from table 3 that among the Muslims, heads of the 'higher' caste stratum tends to have 'high' standard of living, on the other hand, the members of the 'lower' caste stratum tends to have 'low' level of living style. Thus it can be concluded that level of living style is higher among the heads of the households of higher caste stratum than of lower caste stratum. The differences are found to be highly significant ( $\chi^2=21$ ;  $df=1$ ; and  $p < .01$ ). Among the Hindus, it is found (table 4) that there is an association between the caste status and level of living style. Table 4 indicates that 81.5 per cent



heads of the Hindu households of higher caste stratum have 'high' level of living style, only 18.5 per cent have 'low' level of living. Among the heads of the lower caste stratum, 22.0 per cent have 'high' level of living style, the remaining 78.0 per cent have 'low' level of style. It means that among the Hindus the level of living style is greater among the heads of the higher caste stratum than that of the lower caste stratum. The difference are found to be significant ( $X^2 = 35$ ;  $df = 1$   $p < .01$ ).

The inter-religious comparison shows that 49.8 per cent heads of the Muslim households have 'high' level of living style, while among the Hindus 32.7 per cent have 'high' level of living style. This show that level of living style is 'higher' among the Muslims households than that of the Hindus. The different is found to be highly significant ( $Z=3.40$ ;  $p < .05$ ).

It has already been pointed out that the same variables which determine the status of the individual are also responsible for determining the status of the caste groups. In other words, a particular caste is higher because of its relatively higher socio-economic status. With a view to ascertaining the relationship between socio-economic status\* and level of living style of the respondents tables 5 and 6 are prepared for the

TABLE 5

Level of living style of the heads of the households by the socio-economic status of the heads of the Muslim households

Socio-economic Status Categories of the respondents	Level of living style categories					Total
	1 Very low	2 Low	3 Moderate	4 High	5 very high	
1. Very Low	23	2	2	—	—	27
2. Low	35	42	42	3	—	122
3. Moderate	17	13	43	9	1	83
4. High	6	7	18	10	3	44
5 Very high	—	—	2	6	5	13
Total	81	64	107	28	9	189

\*For showing the socio-economic status of the respondents belonging to various caste groups an index was prepared. To prepare this index 4 variables namely, occupation, income and cultivable land of the respondents are taken into account. Each of these variables are divided into 5 hierarchical prestige categories. Various weightages (from 1 to 5) are given to each of these variable and the total score is added up together. In this index a particular respondent could obtain a minimum score of 4 and a maximum score of 20. For a better understanding, the index divided into 5 prestige categories namely, (I) very low (score up to 4); (II) Low (score 5-8); (III) Moderate (score 9-12); (IV) High (score 13-16) and (V) very high (score 17-20).



TABLE 6

Level of living style of the heads of the households by the socio-economic status of the heads of the Hindu households

Socio-economic Status Categories of the respondents	Level of living style Categories					Total
	1	2	3	4	5	
	Very low	Low	Moderate	High	Very High	
1. Very Low	6	1	—	—	—	7
2. Low	33	22	5	—	—	60
3. Moderate	27	6	28	1	—	62
4. High	2	4	9	2	—	17
5. Very high	—	—	1	2	1	4
Total	68	43	43	5	1	150

Muslims and the Hindus respectively. Among the Muslims data presented in table 5, indicate that none of the respondents belonging to 'very low' socio-economic status category enjoys high or very low level of living style. On the other hand, respondents belonging to 'very high' socio-economic status category enjoy relatively higher level of living style. Among the Hindu-respondents (table 6) one can also observe similar trend.

For a better understanding of this aspect, Tables 7 and 8 are prepared from tables 5 and 6 for the Muslims and the Hindus respectively.

TABLE 7

Level of living style of the heads of the households by the socio-economic categories of the heads of the Muslim households

Socio-economic Status Categories	Level of living style categories.		Total
	1 Low	2 High	
1. Low	102 (68.5)	47 (31.5)	149 (100.0)
2. High	43 (30.7)	97 (69.3)	140 (100.0)
Total	145 (50.2)	144 (49.8)	289 (100.0)

$$(X^2=40.9 ; df=1 p<.01)$$



TABLE 8

Level of living style of the heads of the households by the socio-economic status categories of the heads of the Hindu households

Socio-economic Categories	Level of living style categories		Total
	1 Low	2 High	
1. Low	62 (92.5)	5 (7.5)	67 (100.0)
2. High	39 (47.0)	44 (53.0)	83 (100.0)
Total	101 (67.3)	49 (32.7)	150 (100.0)

$$(X^2 = 63.8; df = 1 p < .01)$$

For this kind of analysis the 5 socio-economic status categories are divided into 2 categories namely, (i) Low and (ii) High. The first 2 socio-economic categories namely, 'very low' and 'low', are combined together into 'low' category while the remaining 3 categories are taken into 'High' category. The 5 levels of living style are further decategorized into two—'Low' and 'High'. The first 2 categories (very low and low) are taken in 'Low' category while the remaining 3 are taken in 'High' Category.

Among the Muslims (table 7), 68.5 per cent of the respondents belonging to 'low' socio-economic status category enjoy 'low' level of living style while the remaining only 31.5 per cent enjoy 'high' level of living style. The 69.3 per cent of the respondents belonging to 'High' Socio-economic status category have 'high' level of living style while 30.7 per cent have 'low' level of living style. This kind of data clearly indicate that level of living style is higher among the respondents having 'high' socio-economic status than those enjoying 'low' socio-economic status. The difference is found to be highly significant ( $X^2=40.9$ ;  $df=1$   $P < .01$ ). Among the Hindus (table 8), one can see that only 7.5 per cent of the respondents belonging to 'Low' socio-economic status category enjoy 'high' level of living style while among the respondents belonging to 'High' socio-economic category 53.0 per cent have 'high' level of living style. This kind of data clearly indicate, that level of living style is higher among the respondents belonging to 'high' socio-economic category than those belonging to 'Low' category. This difference is also found to be significant ( $X^2 = 63.8$ ;  $df=1$   $P < .01$ ).



Thus, it can be said that in both the religious communities the heads of the households of higher caste stratum have 'high' level of living style than that of 'lower' caste stratum. It means that there is significant positive association between caste status and level of living style. The hypothesis—'higher the caste higher would be the level of living style in both the religious categories' is accepted by the data collected. This kind of data clearly indicate that in the study of social stratification the level of living style ascertained on the basis of households articles and amenities is quite meaningful.

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# Migration and Labor Movement from Bangladesh—A Sociological Enquiry of the Origin, Factors and Extent of Migration with Special Reference to Sylhet District\*

Kamal Ahmed Chowdhury

## Migration During the British Period

The Emigration Act of 1922 indicates that substantial migration had been taking place from British India in the early period of this century. However, it is not possible to find out whether emigration of any significant size took place from the territories now comprising Bangladesh. Most of the emigration took place to build railroads and other projects in former British colonies like Kenya, Tanzania, Uganda, Fizi, Mauritius, Malaysia, Trinidad and Tobago. From an interview with an official who dealt with this in the then central government of Pakistan, it appears that except for a few cases in Mauritius and Trinidad—Tobago, there was no migrant population of Bangladesh origin in other countries.<sup>1</sup>

Apart from this, during the early part of this century a small number of Bangladeshis migrated abroad. Most of them were seamen. Since Bangladesh as a part of India was a colony of British Empire, these seamen could easily find jobs in the British merchant navy. From time to time some of them deserted the ships and managed inland employment in the United Kingdom.

These early migrants whatever their size be, had subsequently played a significant role in establishing a chain of migrants to the U.K. from Bangladesh.

\*This article is based on parts of the author's unpublished dissertation for the degree of M. Phil. in Sociology at the Institute of Bangladesh Studies, Rajshahi University, Rajshahi, Bangladesh.

<sup>1</sup>Hossain, A.R.M. Anwar, "Development of Manpower Export and Profile of Migrants from Bangladesh"—in *Labor Migration from Bangladesh to the Middle East*. World Bank Staff Working Paper No. 454. 1981, pp. 3-4, Washington, D.C.



### Migration During the Pakistan Period

As migration was not taken place at one particular time, and of course not also in particular country, different situation dictated to adopt different ways and means to materialize the decision of migration. Large scale migration from Bangladesh (the then East Pakistan) started after the partition of India in 1947. People from Bangladesh especially from the eastern district of Sylhet developed a strong sea-faring tradition, and for many years they found work as seamen on ships out of Calcutta, Bombay and Singapore. However, since partition removed the India ports as work outlets, the seamen had two options before them, either to seek employment in the U.K. or to return home. For economic reasons, most of them decided to stay in Britain. After the World War II British economy was virtually shattered; she faced the gigantic task of economic reconstruction which required adequate manpower. As a result, the British Government adopted a policy of attracting workers from overseas countries, especially from many parts of the Commonwealth. It may be mentioned here that, although passports have been existing since the time of William Pitt, the first tentative legislation aimed at curbing the influence of European refugees was enacted in 1911. This remained in force until succeeded by the Aliens Order of 1953. Neither of these Acts restricted in any way the movement of Commonwealth citizens or erstwhile British Subjects.

As a Government policy, manpower export from Bangladesh on a large scale can be traced to the British Emigration Act introducing the system of issuing employment vouchers to overseas people seeking employment in the U.K. In the 1950s, it was observed that the actual job offers were made mostly for the unskilled professions under the employment voucher system and a large number of laborers especially from Sylhet emigrated to the United Kingdom.<sup>2</sup> In the 1960s the flow of emigration fell considerably and primary immigration to Britain gradually became standstill in 1970s. It is because of the enforcement of the first Commonwealth Immigrants Act of 1962 which did restrict the free movement of Commonwealth citizens and this Act was subsequently amended by the 1968 Commonwealth Immigrants Act. Both Commonwealth and Alien legislation were later amalgamated into the 1971 Immigration Act which remains in force.<sup>3</sup>

<sup>2</sup>*Ibid.*, p. 4.

<sup>3</sup>Information on all immigration legislation in the U.K. was provided by J.R. Moore, First Secretary, British High Commission, Consular and Immigration Section, Dhaka, Bangladesh.



### Migration and Labor Movement Since the Birth of Bangladesh

During the third phase people shifted their destination from industrially developed England to the oil-exporting Middle-Eastern and North-African countries. The demand for labor in the oil-exporting states reached a new peak after 1973, when oil revenues increased manifold and development activities proliferated. Since then the demand for labor in the middle and near eastern countries increased seeking the work-forces essential to such rapid development programmes.<sup>4</sup>

In 1975, the major labor importing countries were Algeria, Bahrain, Iran, Iraq, Kuwait, the Libyan Arab Jamahiriya, Oman, Qatar, Saudi Arabia, and the United Arab Emirates. They became host to more than 2 million immigrant workers, comprising 2.6 per cent of their total population and 11.0 per cent of the indigenous labor force. The major labor exporting countries were Egypt, Jordan, the Syrian Arab Republic and Yemen.<sup>5</sup>

By 1975 some Asian labor found their way to the Arab labor market. Only in the United Arab Emirates and Oman Asian labor comprised a significant portion of the labor force in 1975.

Indians and Pakistanis have long been involved in economic development in the Middle East. As traders and entrepreneurs they existed in small numbers in the Arab world. Indians and Pakistanis continued to make a contribution to the labor market, becoming associated with certain tasks and concentrated in the Gulf region.<sup>6</sup>

Though Bangladesh entered the Middle-Eastern job market in a large scale in the second half of seventies, Bangladeshis maintained a presence in the region even prior to the establishment of Bangladesh.

People originating from present-day Bangladesh have been migrating to oil-rich Middle-East countries for the last twenty years. Beginning in the early sixties small numbers, mostly from the district of Chittagong, migrated to Saudi Arabia and Qatar. Some of these people who had been to Saudi Arabia during the early sixties managed to obtain Saudi

<sup>4</sup>Birks, J.S. and C.A. Sinclair, "Contemporary International Migration and Human Resources Development in the Arab Region: Background and Policy Issues" in *Population and Development in the Middle East*, United Nations Economic Commission for Western Asia, p. 260.

<sup>5</sup>Ecevit, Zafar, "Labour Migration in the Middle East and North Africa and its Economic Implications" in *Population and Development in the Middle East*, United Nations Economic Commission for Western Asia.

<sup>6</sup>Birks, J.S. and C.A. Sinclair, "Contemporary International Migration and Human Resources Development in the Arab Region: Background and Policy Issues" in *op. cit.*, pp. 260-263.



nationality; they are now found in different occupations, including self-owned small business, in Makkah and Medina. Those who went to Qatar are known to have found work mostly in Doha Port and Qatar Navigation Department.<sup>7</sup>

It is revealed from the government statistics that 1,49,377 Bangladeshi nationals left the country on employment from 1977 to 1981. Out of them 97.37 per cent migrated only to North Africa and Middle-East countries. They were the U.A.E., Qatar, Kuwait, Iran, Iraq, Saudi Arabia, Libya, Bahrain and Oman.<sup>8</sup>

The early migrants contributed for such a large scale migration from Bangladesh later on. Hossain identified four important ways which according to him enhanced the flow of migration. Firstly, they (migrants) took enormous trouble to reach the country of their choice and to find employment through their own efforts, which set an example for those who followed. Secondly, they made their services available to the employers at lower cost than that of workers from other countries. Thirdly, they pleased their employers by their manners and output which created a favorable disposition to the employers. Fourthly, the Bangladeshi labourers maintained a link with their homeland and some of them successfully negotiated deals with their employers inviting them to recruit more workers from Bangladesh. Initially the early migrants were the only source which linked the Middle-Eastern employers with the workers in Bangladesh.<sup>9</sup>

In addition to that Bangladeshi migrants living in Britain also helped their kith and kin to migrate to the Middle-Eastern countries. However, in 1976 government formulated a policy of manpower export which also created a congenial atmosphere for large scale migration.

#### **Causes of Migration with Special Reference to Sylhet District**

The migration from Bangladesh is not a matter of long past. Yet it is not known for sure how the people of Bangladesh started migrating initially. Moreover, it is to be noted that the people who emigrated especially during the first two phases were mostly from one particular region of Bangladesh, i.e., the Eastern District of Sylhet. Furthermore, it is also not known why and how such a large number of people could migrate from a land-locked area. Again it remains unexplained how people

<sup>7</sup>Hossain, A.R.M. Anwar, "Development of Manpower Export and Profile of Migrants from Bangladesh" in *op. cit.*, p. 5.

<sup>8</sup>*Monthly Statistical Bulletin of Bangladesh*, vol. XII, June 1983.

<sup>9</sup>Hossain, A.R.M. Anwar, "Development of Manpower Export and Profile of Migrants from Bangladesh" in *op. cit.*, p. 6.



from Sylhet region developed a strong sea-faring tradition being located around three hundred miles away from the sea. It could have been understandable had it been a coastal area. Thus the causes and the process of migration from Bangladesh cannot easily be determined. It requires serious investigation to discover the truth. Extensive study on the following issues might lead us to reach into a reasonable conclusion in this regard:

- 1) internal migration (both immigration and emigration) from Sylhet;
- 2) existence of haors and navigable rivers in Sylhet;
- 3) unfavorable man-land ratio; and
- 4) existence of ship building industry in Sylhet.

### Internal Migration

It is evident from the historical evidence that Sylhet experiences quite a large scale movement of people both in the form of emigration and immigration. Large scale tea plantation in the district of Sylhet during the latter part of the 19th century required to import coolies (tea garden laborers) from the neighboring provinces of Bihar and Orissa<sup>10</sup>. During the ten years ending with 1900 over one lakh forty one thousand coolies were imported.<sup>11</sup> The total number of immigrants was one lakh sixty-four thousand eight hundred and ninety five (1,64,895), but a considerable proportion of these persons were not coolies. They had entered Sylhet from Hill Teppara and the three neighboring districts of Bengal, i.e., Mymensingh, Teppara and Dhaka.<sup>12</sup>

So far as emigration is concerned, Sylhet sent 25,971 persons in 1901, to the neighboring districts of the Cachar plains. It hardly needs to be mentioned that the district could easily afford to spare these men. However in places there was considerable pressure on the soil and due to the introduction of railway through the North Cachar Hills, some of Sylhet's teeming thousands passed across into the fertile plains of the Assam valley.<sup>13</sup>

Although it is difficult to establish linkage between internal migration (i.e., immigration and emigration) and seaman jobs, we must not ignore the fact that both psychological and cultural aspects play an important role in any kind of decision-making process. Once migration occurs migrants become psychologically culturally more adjustable. This change

<sup>10</sup>At that time the Indo-Pak-Bangladesh subcontinent was under the British Rule and, therefore, internal movement was not restricted.

<sup>11</sup>Allen, B.C. *Assam District Gazetteers*, Volume II — Sylhet, Calcutta, 1905, Chap. III, p. 68.

<sup>12</sup>*Ibid.*

<sup>13</sup>*Ibid.*, Chap. III, p. 70.



makes a man more desperate and enterprising to accept any new profession for better living. This view can be substantiated by a recent study that the immigrants are less bound by tradition, and as a result they are quite adaptable to new ideas and thoughts.<sup>14</sup>

Though this loss and gain of population is not very significant in the context of total population of the district, it paved the way for those who were in serious economic pressure to take up a vital decision, either to move to the fertile land of Assam valley or to pick up any kind of job which would ensure their economic solvency, even if it is in the ships.

### Existence of Haors and Navigable Rivers in Sylhet

Let us now examine whether geographical condition had played any part to induce the people of certain areas of Sylhet to pick up jobs in the ships which ultimately helped to develop a sea-faring tradition among them.

Syed Murtoza Ali in his book *Profile of Personalities* quoted Robert Lindsay<sup>15</sup> who gave an interesting account of his journey to Sylhet during the monsoon. Lindsay stated that he would be disbelieved when he said that in pointing his boat towards Sylhet he had to take recourse to his compass, the same as at sea and steered a straight course through a lake not less than 100 miles in extent, occasionally passing through villages, built on artificial mounds— but so scanty was the ground, that each house had a canoe attached to it.<sup>16</sup> Those who have seen the haor areas in Sunamganj during rains would agree that description holds good even today.

Water transports were the mainstay of trade and commerce of the district. During the rainy season big steamers came up from Calcutta

<sup>14</sup>A study was conducted in 1980 on a cluster of villages in Sylhet, the purpose of which was to collect socio-economic information of their inhabitants. One such village was Bahar Colony which possessed different socio-economic characteristics from the other villages. The inhabitants of this village were immigrants from the Assam Province of India and as such they were mainly dependent on non-agricultural sources of income. Again, they were less bound by their own tradition and so, were quite adaptable to new thoughts and ideas. (Village Development Training Programme— Basic Social and Economic Information on Households, by Kamal Ahmed Chowdhury and Ashraf Uddin Ahmed, International Voluntary Services, Inc. Dhaka, June 1980, pp. 7-8).

<sup>15</sup>Robert Lindsay was appointed Collector of Sylhet in 1778. Prior to his posting at Sylhet he was stationed at Dhaka.

<sup>16</sup>Ali, Murtoza, *Profile of Personalities*, as the first few pages of the only available book have been lost, it is not known when, where and by whom the book was published.



and called at different stations. Small steamers ran up the Surma from Markhali past Sunamganj and Chhatak to Sylhet town. During winter, the steamers could come upto Chhatak only but beyond that point there was not enough water in the river for them to travel.<sup>17</sup> But the greater part of the trade of the district was, however, carried not by steamers but by country boats.<sup>18</sup>

Lindsay's account of the geographical condition of Sylhet helps us to reach to an apparent conclusion that the physical environment of Sylhet was quite favorable in preparing for a job of a sailor. Again, steamer services<sup>19</sup> (though for the purpose of commerce and trade) had linked Calcutta directly with the different parts of that region. As a result, communication between Calcutta and Sylhet became much easier. Although these factors cannot totally establish the aforesaid proposition, however, in no way it disproves the possibility for a boatman to become a sailor.

### Existence of Ship Building Industry

Seeing Sylhet as it is to-day, it is very difficult to believe that once it was in a position to build sea-going ships. This fact is very significant for our present purpose. According to Assam District Gazetteers, boat-building had always been an important industry in Sylhet. Mr. Lindsay who was the Collector of Sylhet District in 1780, built one 400 ton ship which required depth of 17 feet when fully loaded. He also built a smaller fleet of 20 ships and sent them to Madras loaded with rice, during a scarcity in that Presidency.<sup>20</sup>

It is surprising that these ships built at a distance of 300 miles from the sea-coast could stand the strain of a journey to Madras. It was one Captain Thomas who was of great help in building ships. He employed the canoe builder of Sylhet in building his ships. Even this day seamen from Sylhet are seen in large number in ships playing all over the world.<sup>21</sup>

If the ships were built 300 miles from the sea-coast with the help of canoe builders of Sylhet, then there is every reason to believe that

<sup>17</sup>Allen, B.C. *Assam District Gazetteers*, Vol. II, Sylhet, Calcutta, 1905, Chap. VI, p. 182.

<sup>18</sup>*Ibid.* Chap. VI, p. 183.

<sup>19</sup>These steamers were owned and managed by the India General Steam Navigation Company, whose managing agents were Messers Kilburn & Co.; 4, Fairlie Place, Calcutta, and the Rivers Steam Navigation Co. whose agents are Messers Meniell & Co. 2-1, Clive Ghat Street, Calcutta.

<sup>20</sup>Allen, B.C. *Assam District Gazetteers*, Vol. II, Sylhet, Calcutta, 1905, Chap. V, p. 156.

<sup>21</sup>*Imperial Gazetteers of India*, Vol. XIII, London 1887, p. 152.



these ships were also sailed by the local sailors to Madras. Therefore, it is neither unusual nor unexpected for a person from Sylhet region to go for a job of a sailor.

### Unfavorable Man-land Ratio

We know that historically in Bengal, land was the main form of wealth and agriculture was the main form of economy. Sylhet is no exception to that, though of course, land tenure system of Sylhet was unlike the land tenure system of the rest of Bengal. Since economy is one of the determining factors of migration, it can naturally be expected that the land holding pattern of Sylhet could be a collaborating factor of generating alternative jobs apart from agriculture. As it is seen that most of the migrants are from the rural areas, one can very well deduce that the rural areas, i.e., the agriculture sector could not sustain her people in her own economy.

One of the chief peculiarities was the smallness of agricultural holdings. Perhaps in no other district of Bengal or Assam had the subdivision of landed property been carried to a greater extent. Anything above 5 acres<sup>22</sup> was considered to be a large holding for the support of a cultivator with a family;  $3\frac{1}{2}$  acres made a comfortable farm, and anything below  $1\frac{1}{2}$  acres was a very small one, and barely afforded subsistence. For instance it may be mentioned that out of 78,000 estates on the rent roll of the district in 1870 upwards of 20,000 paid a land tax of not more than 2 shillings a year.<sup>23</sup> Quite a significant number of this class gradually became poorer because of the smallness of land and the Muslim Inheritance Law by which holdings became divided into small plots. Thus, they became landless and had to look for other alternative jobs which presumably, affected a large number of families in Sylhet.

So far we have discussed why some people of Sylhet went for a job other than agriculture. It is not only a matter of luck and chance that one fine morning one gets a job of a sailor. We have already discussed the favorable geographical condition of Sylhet for such a profession. Even if anyone wanted to become a sailor he had to overcome a lot of intervening obstacles which was almost impossible for a plain and simple poor rural illiterate person. There must have been some avenues through which the rural people found jobs in the ships.

To discover the actual process of migration in general a lot of interviews were taken especially from among the old people who knew about

<sup>22</sup>*Ibid.*, p. 153.

<sup>23</sup>*Ibid.*



it. One such person was Natai Mia who served for 40 years as an employee of Kilburn & Co. in Fenchuganj, a port on the bank of the river Kushiara. He was of the opinion that, Aftab Ali of the Kathalkai village of Bishwanath thana was the main source through whom a large number of people found jobs in sea-going vessels. Aftab Ali was a very influential man in Calcutta Port. He was also General Secretary of the Sea-men Association. Natai Mia told me that Yusuf Ali and Zafar Ali of the village Bhadeswar under the Gopalganj thana were sea-men (Khalashi) suppliers. Both of them had their homes in Khidirpur dockyard. They collected people who wanted to take up the challenging and economically alluring job of seamanship and sent them to Calcutta. They had to provide them with food and shelter in Calcutta and when a ship anchored there after a voyage the old Khalashis went on vacation and were replaced by another batch of Khalashis. After the vacation the old batch again joined the ship. Both Zafar Ali and Yusuf Ali had links with the shipping companies. They used to fix up the salaries of Khalashis with the companies and besides their commission they also used to deduct the expenditure they had to spend for them.

Apart from these, there was a different process of migration we have come to know from our interview, which had no relation with sea-manship. During the British rule tea plantation had been started by some British companies in Sylhet. These companies sent their own men to manage these gardens. The nature of their jobs obliged them to live within the gardens and rely upon their local cooks for the preparation of their daily food. As the tea-gardens were isolated and located far away from the town and civilisation life was dull and uneventful. To get rid of this monotonous life they chose diversions. One of these was to take interest on varieties of local food prepared by the local cooks. Some of these British managers were such fond of the local food that even after the completion of their assignment they took their cooks back with them to England. In this way many Sylhetee went to England and later on some of them started catering food there. Subsequently they took their kith and kin to meet the expanding demand of manpower.

However, there cannot be one single cause of migration as it always takes place with the combination of different factors. Of course the importance of the factors varies in different situations. Inter-district migration, favorable geographical condition, poor man-land ratio and a long ranging tradition of ship-building industry together have created a congenial atmosphere and kinship relationship helped to complete the process.



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- 7) *Imperial Gazetteers of India*, Vol. XIII, London 1887.
- 8) *Monthly Statistical Bulletin of Bangladesh*, Vol. XII, June 1983.



# The Provisions of Martial Law Courts in Bangladesh, 1975-1979 : An Analytical Study

M. Ershadul Bari\*

## I. Introduction

Bangladesh emerged as a sovereign and independent state on 16 December 1971. For the first time in the history of independent Bangladesh, Martial Law was declared throughout the country on 15 August 1975 immediately after the assassination of President Sheikh Mujibur Rahman in a coup masterminded by a group of junior army officers—mainly majors, captains and lieutenants. The object of this paper is to make a critical study of the provisions of Martial Law Courts enacted by the Martial Law administration under various Martial Law Regulations during the period, 1975-1979.

It should be mentioned here that Martial Law is an emergency measure, an extreme remedy which can be employed in the event of imminent danger to the preservation and security of state. In constitutional law, Martial Law finds its justification in the common law doctrine of necessity for its promulgation and continuance; all measures taken in exercise of the power of Martial Law must be justified by requirements of necessity alone, the necessity to restore law and order. Thus Martial Law can be declared only in times of grave emergency, when society is disordered by civil war, insurrection or invasion by a foreign enemy, for the speedy restoration of peace and tranquillity, public order and safety in which the civil authority may function and flourish. Therefore, "The purpose of martial law is not to replace the civil administration of law but to support it by brushing aside the disorders which obstruct its normal operation"<sup>1</sup>

In order to administer Martial Law, Martial Law Courts are established. They are established because "Many of the offences which have to be

<sup>1</sup>Weiner F.B., *A Practical Manual of Martial Law* (Harrisburg, 1940), p. 15.



suppressed are offences, not against the ordinary law, but against some rule, which for military reasons the commander has found it necessary to enact."<sup>2</sup> In fact, a Martial Law Court is an almost inevitable incident of the resort to Martial Law to administer prompt and speedy justice for the restoration of law and order. The machinery of the civil law is sometimes considered inadequate during the currency of Martial Law because of its slow and ponderous proceedings. Therefore, Martial Law Courts are set up by a military commander with a view to punishing people promptly for contravention of Martial Law Regulations or orders.

It is interesting to note that Martial Law was proclaimed in Bangladesh at a time when the country was peaceful and the civil courts were open and exercising their ordinary jurisdiction in the normal way. There was no question whatsoever of suppressing open rebellion or armed insurrection amounting to war. It seems that Martial Law was imposed to obviate any possible resistance which might arise as a consequence of the assassination of President Sheikh Mujib and the seizure of power by the army. Since Martial Law was promulgated as precautionary measure to forestall any possible threat to the newly-established unconstitutional regime, the proclamation of Martial Law on 15 August 1975 did not satisfy the common law doctrine of necessity under which the imposition of Martial Law could be justified for the restoration of law and order. Moreover, the declaration of Martial Law in Bangladesh in 1975 was an extra-legal act, inconsistent with the 1972 Constitution of Bangladesh. The 1972 Constitution, which was allowed to remain in force during the period of Martial Law, does not envisage the imposition of Martial Law even for the purpose of restoring law and order. Throughout the text of the Constitution, no reference whatsoever has been made to Martial Law. Thus it can be strongly argued that the declaration of Martial Law in Bangladesh in 1975 was also unconstitutional.

## II. Basic Provisions Relating to Martial Law Courts

The August coup of 1975 was announced in the name of Khandaker Moshtaque Ahmed, who was Minister for Trade and Commerce in Sheikh Mujib's Cabinet at the time of the coup. Moshtaque was sworn in as the President of the country by the acting Chief Justice of the Supreme Court of Bangladesh, Syed A.B. Mahmud Hossain, in the afternoon of 15 August 1975. Five days after the assumption of the office of President, on 20 August 1975, he issued a Proclamation in an attempt to legalise the newly-established regime. In fact, this Proclamation provided the legal frame-

<sup>2</sup>Richards, H. Earle, "Martial Law, *The Law Quarterly Review*, Vol. XVIII, (April 1902), p. 141.



work for Moshtaque's new government. The President contemplated in the Proclamation setting up of a special court or tribunal by issuing Martial Law Regulations or Martial Law Orders for the trial and punishment of any offences under Regulations or Orders or for contravention thereof, and of offences under any other law.<sup>3</sup> Two days after the issue of this Proclamation, on 22 August 1975, the President promulgated the Martial Law Regulations, 1975, (Regulations No. I of 1975) which provided for, *inter alia*, the creation of two types of special courts, namely, (a) Special Martial Law Court and (b) Summary Martial Law Court.

Therefore, it is evident that, although Martial Law was not declared in Bangladesh to suppress open rebellion or armed insurrection amounting to war and as such the question of establishing Martial Law Courts did not arise to administer prompt and speedy justice for the restoration of law and order, the Martial Law regime of Bangladesh provided for the setting up of two kinds of Military Law Courts. It seems that in this respect the Martial Law administration of Bangladesh followed the example of Martial Law governments of Pakistan. In Pakistan, the Martial Law of 1969 followed the pattern of the 1958 Martial Law, in both the cases two types of special courts of criminal jurisdiction, the Special Military Court and Summary Military Court, were being set up under Regulation 1-A and Regulation 2 respectively.

Regulation 2(1) provided that "The Government may, by notification in the official Gazette, constitute Special Martial Law Courts and Summary Martial Law Courts for such areas as may be specified in the notification". The government was also empowered to appoint "the Chairman and members of the Special Martial Law Courts and the members of Summary Martial Law Courts".<sup>4</sup> Later in December 1976, by an amendment,<sup>5</sup> the Chief Martial Law Administrator was substituted for government as the authority to establish Special and Summary Martial Law Courts.

#### (i) The Composition of the Martial Law Courts

##### (a) *The Composition of the Special Martial Law Courts*

Regulation 2(2) stated that "A Special Martial Law Court shall consist of a Chairman and two other members...The Chairman of the Court

"shall be appointed from among Sessions Judges or Additional Sessions Judges, and of the two other members of such Court, one

<sup>3</sup>Clause b(i) of the Proclamation.

<sup>4</sup>Regulation 2(5)

<sup>5</sup>The Martial Law (Twenty-Third Amendment) Regulations, 1976, (Regulations No. XXXIII of 1976), issued on 28 December 1976.



shall be appointed from among officers of the Defence Services not below the rank of Lieutenant Colonel or equivalent and the other from among Assistant Sessions Judges or District or Additional District Magistrates".<sup>6</sup>

Thus a Special Law Court was to be headed by a sessions judge or additional sessions judge and composed mostly (i.e. two out of three) of judicial officers serving in the Courts of Sessions or Courts of the Magistrates of the first class. Thus the Special Martial Law Court, when consisted of two judges from the Courts of Sessions, bore some resemblance to that of the Commission set up under the Panjab Martial Law Ordinance No. I of 1919 as at least two out of three members of this Commission were to be persons who had served as sessions judges or additional sessions judges for a period of not less than three years or persons qualified under Section 101 of the Government of India Act, 1915, for appointment as judges of a High Court. However, as the majority of the members of this Special Martial Law Court were to be civilians, its decisions could not be dominated by the only one member representing the defence services.

But nearly six months later, on 12 February 1976, this composition of the Special Martial Law Court was countermanded. The Martial Law (Twelfth Amendment) Regulations, 1976, (Regulations No. VII of 1976) provided that

"The Chairman of a Special Martial Law Court shall be appointed from among Sessions Judges or Officers of the Defence Services or Bangladesh Rifles not below the rank of Lieutenant Colonel or equivalent, and of the two other members of such Court, one shall be appointed from among officers of the Defence Services or Bangladesh Rifles not below the rank of Major or equivalent and the other from among Magistrates of the first class".

Therefore, under the arrangement, a Special Martial Law Court could be headed by officers of the defence services or Bangladesh Rifles. Moreover, as a consequence of this new arrangement, two out of three members of the Special Martial Law Court could be from the officers of the defence services or Bangladesh Rifles and one from among magistrates of the first class whereas there were to be no members from the Courts of Sessions. This possibility of the inclusion of the majority of the members from the defence services or Bangladesh Rifles reduced the chances that the Special Martial Law Court would be impartial and independent in

<sup>6</sup>Regulation 2(3).



the dispensation of justice as contemplated in Article 10<sup>7</sup> of the Universal Declaration of Human Rights. Because such officers, who would dominate the decision of the Court, were part of the Martial Law administration, or the Executive; they could easily be influenced in the discharging of their judicial duties. Moreover, they were career army officers having no legal training or judicial experience to afford the accused the best security for the exercise of a fair judgment. Since Martial Law was not declared under the common law doctrine of necessity to suppress rebellion or insurrection, such composition of the Special Martial Law Court was unjustified in the light of the views expressed by Charles Clode:

“When necessity arises “for the trial of Civilians by Courts-martial the Commanding Officer will be careful to compose those Courts, of Men (Civil or Military) whose experience and character afford to the criminal the best security for the exercise of a sound judgment and discretion in the most solemn function of Judicial Administration... The Court should be formed as near to the model of the highest Criminal Court as possible”.<sup>8</sup>

In 1978, the Composition of the Special Martial Law Court was again changed by the Martial Law (Twenty-Seventh Amendment) Regulations, 1978 (Regulations No. I of 1978). It provided that

“The Chairman of a Special Martial Law Court shall be appointed from among Sessions Judges or Officers of the Defence Services or Bangladesh Rifles not below the rank of Lieutenant Colonel or equivalent, and of the two other members of such Court, one shall be appointed ‘from among Assistant Sessions Judges or Officers of the Defence Services’ or equivalent and other from among Magistrates of the first class”.

Therefore, under this amendment a Special Martial Law Court could be composed of two members either from the Courts of Sessions or from the officers of the defence services and one from among magistrates of the first class. By providing for the possibility of such a Court consisting of two members from the Courts of Sessions and one from among magistrates of the first class, the amendment widened the scope of dispensing fair justice to the accused by judges who were obviously not part of the Martial Law administration. Such a composition of the Special

<sup>7</sup>Article 10 of the Universal Declaration of Human Rights, which was adopted by the General Assembly of the United Nations on 10 December 1948, provided that “Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligation...”

<sup>8</sup>Clode, Charles, *The Administration of Justice Under Military and Martial Law*, (London, 1872) p.167.



Martial Law Court was unexampled in the history of Martial Law Administration in the subcontinent.

*(b) The Composition of the Summary Martial Law Courts*

Regulation 2(2) provided that "... a Summary Martial Law Court shall consist of only one member." Regulation 2(4) stated that "The member of a Summary Martial Law Court shall be appointed from among Magistrates of the first class or officers of the Defence Services not below the rank of Major or equivalent."

This composition of the Summary Martial Law Court resembled that of Summary Military Courts established in Pakistan in 1958 and 1969 under Regulation No. 1-A<sup>9</sup> and Regulation No. 2<sup>10</sup> respectively. Since there was a scope for constituting this one member-Court with an officer of the defence services having no legal training and who was part of the Executive, this Court, when so constituted, could not be called independent and impartial in dispensing fair justice to the accused.

*(ii) Provisions Regarding the Trial of Offences by the Martial Law Courts*

Elaborate provisions were made for the summary trial of offences by the Martial Law Courts (a) determining the power and jurisdiction of such courts, (b) providing procedure for taking cognizance of offences both under Martial Law Regulations and ordinary law, (c) denying the right to be defended by lawyer on trial before a Summary Martial Law Court, (d) placing the admitting of bail at the will of the prosecution, (e) barring appeal to any court of law against the judgment of the Martial Law Courts, (f) granting review by way of relief, (g) providing for the confirmation of death sentences and sentences of life imprisonment by the President, (h) allowing the transfer of cases from ordinary courts to the Martial Law Courts or from one Martial law Court to another and finally (i) prohibiting all courts, including the High Court and the Supreme Court, from calling into question any order, judgment or the proceedings of the Martial Law Courts.

*(a) The Powers and Jurisdiction of the Martial Law Courts*

Regulation 2(6) of the Martial Law Regulations, 1975 (Regulations No. I of 1975) provided that "A Martial Law Court may try any

<sup>9</sup>As Regulation No. 1-A, issued on 7 October 1958, provided that "An Administrator of Martial Law may, by general or special order, empower any Magistrate of the first class or any military or naval or air force officer provided that he has been specially selected for this particular duty to hold a Summary Military Court in his area of administration for the trial of any offence committed in that area. ..."

<sup>10</sup>Regulation No. 2 of 1969 was the exact reproduction of Regulation No. 1-A of 1958.



offence punishable under these Regulations or under any other law". Later the words 'these Regulations' were replaced by words "any Martial Law Regulation or Order".

Thus Regulation 2(6) introduced identical provisions with regard to the powers of the Martial Law Courts as Regulations No. 1-A<sup>11</sup> of Pakistan, issued on 7 October 1958, had provided for. However Regulation 2(6) invested the Martial Law Courts with a very wide jurisdiction: they were empowered to try not only offences punishable under Martial Law Regulation or Orders but their jurisdiction were also extended to offences punishable under ordinary law or under any special act at the expense of the civilian courts. Thus the Martial Law Courts were given concurrent jurisdiction with the criminal courts over offences under the ordinary law of the land and with any special tribunal over the offences under the special statutes.

But the criminal courts were not given concurrent jurisdiction with the Martial Law Courts to try offences under the Martial Law Regulations although the ordinary criminal courts were retained and they continued with their respective jurisdiction. In other words, while the Martial Law Courts apart from offences under Martial Law Regulation would also try offences under the ordinary law, the ordinary criminal courts would not try case under Martial Law Regulations. In this respect, the Martial Law government of Bangladesh departed from the tradition of providing the criminal courts with the power to try Martial Law cases as established by the British Martial Law administration in India and the Martial Law regimes of Pakistan in 1958 and 1969.<sup>12</sup>

However, since the ordinary courts were allowed to function normally during the Martial Law period, the extension of the jurisdiction of Martial Law Courts to try offences under the ordinary law is difficult to justify. As Justice Mushtaq Hossain in the case of *Mir Hassan v. the State*<sup>13</sup> observes that:

during the Martial Law, "when the ordinary courts are open and functioning, persons accused of offences against ordinary law have

<sup>11</sup>Regulation No. 1-A stated, *inter alia* that "...Special Military and Summary Military Courts shall have the power to try and punish any person for contravention of Martial Law Regulations or orders or for offences under the ordinary law". When Martial Law was promulgated in Pakistan on 25 March 1969, the provisions of this Regulation No. 1-A were also reproduced into in Regulation No. 2 of 1969.

<sup>12</sup>See Malabar Martial Law Ordinance No. II of 1921, Sholapur Martial Law Ordinance No. IV of 1930, Peshawar Martial Law Ordinance No. VIII of 1930, Martial Law Regulation Nos. 1-A and 2 of 1985 of Pakistan, Martial Law Regulation Nos. 3 and 45 of 1969 of Pakistan.

<sup>13</sup>PLD (1969) Lah 786.



to be brought before them, and them alone, to be dealt with according to the law".<sup>14</sup>

A similar view was expressed by Robert M. King:

"It is, however, the duty of those enforcing Martial Law not, to interfere unnecessary with the exercise by the ordinary courts of their civil and criminal functions, in matters not affecting the conduct of the war."<sup>15</sup>

This view was also held by the law officers of the Crown, the then Attorney-General Sir John Campbell (afterwards Lord Campbell) and Solicitor-General Sir R.M. Rolfe (afterwards Lord Cranworth), who were called upon to give an opinion as to the legality of adopting punitive measures against the Canadian insurgents in the rebellion of 1837 to 1838:

"It is hardly necessary for us to add that, in our view of the case, Martial Law can never be enforced for the ordinary purpose of civil or even criminal justice, except in the latter, so far as the necessity arising from actual resistance compels its adoption."<sup>16</sup>

Regulation 2(7) laid down that

"A Special Martial Law Court may pass any sentence authorised by the Regulation or law for the punishment of the offence tried by it, and a Summary Martial Law Court may pass any sentence authorised by the Regulation or law for the punishment of the offence tried by it except death, transportation or imprisonment for a term exceeding five years".

Thus in respect of the powers of imposing sentences by a Special Martial Law Court, this Regulation was, so to say, identical with clause b(ii) of Regulation No. 1-A of Pakistan, issued on 7 October 1958, which had empowered the Special Military Court "to pass any sentence authorised by law or by these Regulations". But Regulation 2(7) invested the Summary Martial Law Court with wider powers of passing sentences of transportation or imprisonment for a term not exceeding five years in comparison with clause c(iv) of Regulation No. 1-A of Pakistan which had given the Summary Military Court the power to pass only a sentence of transportation or imprisonment not exceeding one year. Thus it is evident that although a magistrate of the first class under Section 32 of the Criminal Procedure Code could pass any sentence of

<sup>14</sup>*Ibid.*, p. 811.

<sup>15</sup>King, Robert M., "Martial Law II", *The Cape Law Journal*, Vol. XVII, (1900), p. 136.

<sup>16</sup>Forsyth, William, *Cases and Opinions on Constitutional Law and Various Points of English Jurisprudence* (London, 1869), p. 199.



imprisonment for a term not exceeding two years, such a magistrate when appointed to hold a Summary Martial Law Court was empowered under Regulation 2(7) to impose a higher sentence of imprisonment for a term up to five years.

Regulation 3(3), which dealt with territorial jurisdiction of Martial Law Courts, laid down that

“Proceedings in respect of an offence triable under these (i.e. Martial Law) Regulations alleged to have been committed by any person may be taken before a Martial Law Court having jurisdiction in the place where that person is for the time being or where the offence or any part thereof was committed”.

This Regulation is, so to say, the reproduction of Section 27(2)<sup>17</sup> of the Special Powers Act, 1974, the Act which came into operation on 9 February 1974 and was enacted by the Bangladesh Parliament to provide for “Special measures for the prevention of certain prejudicial activities, for more speedy trial and effective punishment of certain grave offences and for matters connected therewith”.<sup>18</sup> However, the provisions contained in Regulation 3(3) in the matter of territorial jurisdiction are, to a great extent, identical with Section 177 of the Criminal Procedure Code which deals with ordinary place of inquiry or trial except for the words “where that person is for the time being”.

(b) *The Procedures of the Martial Law Courts*

When Martial Law was proclaimed in the Panjab in 1919, in Malabar in 1919, and in Peshawar in 1930 during the British rule in India, provisions were made to the effect that Commissions in the case of the Panjab or the Military Courts in the two other cases would follow the procedure regulating trials by the General Courts-Martial, and the Summary General Courts-Martial respectively as prescribed by the Indian Army Act, 1911.<sup>19</sup> Similarly, in Pakistan when Martial Law was proclaimed in 1958 and 1969, the Special Military Courts and Summary Military Courts constituted were to follow the same procedure as the Field General Court-Martial and Summary Court-Martial respectively convened under the Pakistan Army Act, 1952 except in certain matters.<sup>20</sup> But the Bangladesh

<sup>17</sup>Sec. 27(2) of the Special Powers Act, 1974 read: Proceedings in respect of an offence triable under this Act alleged to have been committed by any person may be taken before the Special Tribunal having jurisdiction in the place where that person is for the time being or where the offence or any part thereof was committed.”

<sup>18</sup>Preamble of the Special Powers Act, 1974.

<sup>19</sup>See the Panjab Martial Law Ordinance, 1919, The Malabar Martial Law (Military Courts) Ordinance, 1921, and the Peshawar Martial Law Ordinance, 1930 (No. VIII of 1930).

<sup>20</sup>Regulation No. 1-A of 1958, and Regulation No. 2 of 1969, Pakistan.



Martial Law regime, instead of following this practice, laid down elaborate procedures for trials by the Martial Law Courts, which in most cases bore some resemblance to the procedure of Special Tribunal established under the Bangladesh Special Power Act, 1974.

(ba) The Conditions Requisite for the Initiation of Proceedings

Regulation 3(1) described the conditions requisite for the initiation of proceedings before Martial Law Courts. It provided that: "A Martial Law Court shall take cognizance of an offence on a report in writing made by a Police Officer not below the rank of Deputy Superintendent or an officer of any of the Defence Services not below the rank of Major or equivalent". But there was a proviso to the effect that "no report shall be entertained by a Martial Law Court in respect of an offence under any law, other than these Regulations, if there is no order of the Government directing the making of such report to such Court".

Thus Regulation 3(1) provided a very limited scope for the purpose of taking cognizance of an offence triable both under the Martial Law Regulations and any other law. Unlike the Criminal Procedure Code, this Regulation provided only one procedure for taking cognizance, namely, upon a report of the officers concerned, and precluded the exercise of jurisdiction by any court by taking cognizance *suo-motu*, upon information from any person other than the officer mentioned, or upon receipt of a complaint.<sup>21</sup>

However, the provisions contained in Regulation 3(1) in the matter of taking cognizance of an offence only upon a report of the officers concerned bore some resemblance to Section 27(1) of the Special Powers Act, 1974, inasmuch as the latter also had provided for only one procedure of taking cognizance, namely on a report in writing made by a police officer not below the rank of sub-inspector.

It is evident that Regulation 3(1) did not provide for the commitment procedure which was the normal procedure under the Criminal Procedure Code. Thus the Summary Martial Law Court could not refer any case to the Special Martial Law Court when it considered that the facts and circumstances of the case called for a greater punishment than it had jurisdiction to impose. However, here it may be pointed out that under Section 193 of the Code of Criminal Procedure, a Court of Session does not take cognizance of an offence as a court of original jurisdiction unless the accused has been committed to it by a competent magistrate. Additional sessions judges and assistant sessions judges try such cases

<sup>21</sup>Sec. 190 of the Criminal Procedure Code.



as the government may direct them to try or the sessions judges may make over to them. But when a sessions judge or an additional sessions judge was appointed to act as a chairman of the Special Martial Law Court, or an assistant sessions judge as a member of it, they were to take cognizance of an offence under the ordinary law, apart from Martial Law offences, on a report in writing made by an officer concerned on the order of the government directing the making of such report to such court.

No guidelines were provided in Regulation 3(1) or by any Martial Law Regulation or Order as to the nature or class of offences under the ordinary law which were to be reported on the direction of the government to any Martial Law Court for taking cognizance. It enabled the government to give such direction arbitrarily, which in effect contravened the right of equality before the law guaranteed by Article 27 of the 1972 Constitution. This aspect will be discussed in greater detail towards the close of this paper. However, if the Martial Law Court took cognizance of an ordinary offence in the first instance, the question of appeal did not arise, as there was no right of appeal against its decisions. In this context the observation of Justice S. A. Mahmood in the case of *Ghazi v. the State*<sup>22</sup> is worth quoting :

“Substantive rights such as right of appeal comes into assistance when a civil action is brought and not when cause of action accrues. Similarly such right accrues in criminal cases when cognizance of an offence is taken by a court and not before...”<sup>23</sup>

Later, on 28 December 1976, Regulation 3(1) was amended by Martial Law (Twenty-Third Amendment) Regulations, 1976 (Regulations No. XXXIII of 1976).

The amended Regulation 3(1) brought about changes in the rank of the officers concerned, on whose report a Martial Law Court would take cognizance of an offence punishable under any Martial Law Regulation or Order. Originally, any police officer not below the rank of deputy superintendent or any officer of any of the defence services not below the rank of major or equivalent had been given the power of making such report. But now any police officer not below the rank of inspector or an officer of any of the defence services not below any commissioned officer was invested with such power. Therefore, the junior officers of both the defence services and the police force were given this power. Moreover, the amended Regulation authorised, for the first time, an officer of the Bangladesh Bureau of Anti-Corruption not below the rank of inspector or deputy assistant direc-

<sup>22</sup>PLD (1962) Lah 662.

<sup>23</sup>*Ibid.*, p. 672.



tor to make such a report. Thus the effect of the amended Regulation 3(1) was that it expanded the number of officers who were empowered to report Martial Law offences to the Martial Law Court. On the other hand, like the original Regulation 3(1), Regulation 3(1a) did not authorise an officer of any of the defence services not below the rank of major or equivalent to make a report before the Martial Law Court on an offence punishable under ordinary law for taking cognizance by it. Instead, apart from a police officer, any officer of the Bangladesh Bureau of Anti-Corruption was empowered to make such a report. Unlike the original Regulation 3(1), Regulation 3(1a) invested any police officer irrespective of his rank with the power of making a report before the Martial Law Court on a civil offence. The newly added Regulation 3(1a) also replaced the government by the Chief Martial Law Administrator as the authority to pass an order directing the making of a report before a Martial Law Court on any offence punishable under ordinary law. But like the original Regulation 3(1), no guideline, were provided for the classes of offences punishable under the ordinary law which were to be reported to the Martial Law Court by the officers concerned on the direction of the Chief Martial Law Administrator.

(bb) Trial *in Camera* by the Special Martial Law Courts

Almost one year after the Proclamation of Martial Law, provisions were made by the Martial Law (Nineteenth Amendment) Regulations, 1976 (Regulations No. XXIII of 1976), issued on 30 July 1976, for trial *in camera* by a Special Martial Law Court. It provided that "if the Chairman of a Special Martial Law Court so decides it may sit *in camera*"<sup>24</sup>. Later, in August 1976, it was provided that

"Where a Special Martial Law Court sits *in camera*, the Chairman of the Court may, if he deems necessary, require any person attending or otherwise participating in the conduct of the trial to make oath of secrecy that he will not disclose anything that may come to his knowledge in, or in connection with, such trial; and the disclosure of any information in contravention of the oath shall be punishable with imprisonment for a term which may extend to three years and with fine".<sup>25</sup>

The provisions relating to trial *in camera* did not strictly violate the fundamental right of the accused to a "public trial" because clause 6 of Article 35 of the 1972 Constitution of Bangladesh states that public trial as

<sup>24</sup>The words in inverted commas were added to Regulation 3(4).

<sup>25</sup>The Martial Law (Twenty-First Amendment) Regulations, 1976, Regulations No. XXVI of 1976, issued on 23 August 1976.



envisaged in clause 3 of Article 35 will not "affect the operation of any existing law which prescribes any...procedure for trial". In fact, this preserves the provisions of Section 352 of the Criminal Procedure Code which, although ensuring that the courts are to be open, provide that "the presiding Judge or Magistrate may, if he thinks fit, order at any stage of any inquiry into, or trial of, any particular case, that the public generally, or any particular person, shall not have access to, or be or remain in, the room or building used by the Court". However, the provisions relating to trial *in camera* contravened the accepted standards of international human rights of law as contained in Article 10 of the Universal Declaration of human Rights which read: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal in the determination of his rights and obligations and of any criminal charge against him". Thus, by providing provisions for trials *in camera*, the Martial Law regime acted contrary to the very purpose of public trial, the purpose "to guarantee that the accused would be fairly dealt with and not unjustly condemned".<sup>26</sup> It can be said that publicity in the administrations of justice is one of the surest guarantees of liberty.

(bc) The Summary Trial of the Martial Law Offences

Regulation 3(5) provided that

"A Martial Law Court trying an offence under these (i.e. Martial Law) Regulations shall try such offence summarily and in trying such offence such Court shall follow the procedure laid down in the Code of Criminal Procedure, 1898 (V of 1898), ...for summary trial of summons cases".

The provisions contained in this Regulation were just the reproduction of Section 27(4)<sup>27</sup> of the Special Powers Act, 1974.

Here it may be pointed out that "summons cases" are those cases which are punishable with imprisonment for six months or under, the rest are all "warrant cases".<sup>28</sup> Since all Martial Law offences, most of which were already offences under ordinary law (e.g. smuggling, corruption & criminal misconduct, waging war and insurrection, the possession of illegal arms), were punishable with death, transportation or imprisonment for a term exceeding six months, the cases relating to such offences

<sup>26</sup>*Estes v. Texas* 14 SCR (L.ed) US 543, 548, per Clark, J.

<sup>27</sup>Sec. 27(4) of the Special Powers Act, 1974, stated that "A Special Tribunal trying an offence under this Act shall try such offence summarily and in trying such offence such Special Tribunal shall follow the procedure laid down in the Code (of Criminal Procedure) for summary trial of summons cases".

<sup>28</sup>Clauses (1) (v) and (1) (w) of Sec. 4 of the Criminal Procedure Code.



were obviously warrant cases, and they were liable to be tried under warrant procedure as laid down in the Criminal Procedure Code.<sup>29</sup> The trial of such offences under procedure prescribed for summary trial of summons cases meant that the recording of the witness or framing of a formal charge was not necessary, although in some cases the recording of the substance of the evidence of each witness was to be made.<sup>30</sup> Here it may be stressed that in a summary trial under the Criminal Procedure Code, "No sentence of imprisonment for a term exceeding three months shall be passed in the case of any conviction"<sup>31</sup> and if a longer sentence of imprisonment exceeding three months is necessary in the interest of justice, "the procedure prescribed for summons cases shall be followed in summons cases, and the procedure prescribed for warrant cases shall be followed in warrant cases"<sup>32</sup> according to the nature of the offence.

Later the Martial Law (Twenty-Third Amendment) Regulations, 1976 (Regulations No. XXXIII of 1976), issued on 28 December 1976, stated that "A Martial Law Court shall make a memorandum of the substance of the evidence of each witness as the examination of the witness proceeds". It also provided that

"The Chairman of a Special Martial Law Court may make such arrangements as he deems necessary for the making of the memorandum of substance of evidence, writing of judgment and administration of the affairs of the Court".

The provisions embodied in this Regulation in the matter of recording evidence were, so to say, identical with Section 355(1)<sup>33</sup> of the Code of Criminal Procedure. However, since all Martial Law cases were warrant cases, under Section 356 of the Code, the evidence of each witness, not the memorandum of the substance of the evidence, was liable to be taken down in writing.

(c) *Provisions Relating to Legal Representation*

With regard to legal representation, Regulation, 3(8) stated that

<sup>29</sup>The warrant procedures are laid down in Secs. 252-259 of the Criminal procedure Code.

<sup>30</sup>Secs. 263 and 264, the Criminal Procedure Code.

<sup>31</sup>Sec. 262(2), *ibid.*

<sup>32</sup>Sec. 262(1), *ibid.*

<sup>33</sup>Sec. 355(1) of the Criminal Procedure Code provides that in summons-cases tried before a Magistrate (not summarily) and in trial of certain offences by a Magistrate of the first or second class, "the Magistrate shall make a memorandum of the substance of the evidence of each witness as the examination of the witness proceeds,



"No lawyer shall appear or plead before a Summary Martial Law Court on behalf of the accused, but the accused may be assisted and advised by any person he chooses who shall be called the friend of the accused".

Thus this Regulation denied the right to a person accused of an offence either under Martial Law Regulation or under ordinary law to be defended by a legal practitioner before a Summary Martial Law Court, but not before a Special Martial Law Court. No such discrimination between the accused persons is recognised under Section 340(1) of the Criminal Procedure Code which states that "Any person accused of an offence before a criminal court, or against whom proceeding are instituted under the Criminal Procedure Code in any such court, may of right be defended by a pleader". However, Regulation 3(8) violated the right of an arrested person to be defended by a lawyer as guaranteed by Article 33(1) of the 1972 Constitution of Bangladesh which provides that "No person who is arrested shall be...denied the right to consult and be defended by a legal practitioner of choice". It should be noted here that the right of defence by a legal practitioner given to the arrested person by Article 33(1) extends to defence in a trial in a criminal court as the arrest of a person on the accusation of a crime is a step in an intended criminal proceedings against him and it is at his subsequent trial in the criminal court for the alleged crime he is to be defended by a counsel.

Although an accused before a Summary Martial Law Court was not allowed to be defended by a lawyer, he was allowed to be helped and advised by a person of his own choice who would be called the friend of the accused. But such a friend might have little or no knowledge of law to help and advise the accused person in any substantial way. So no trial for an offence under Martial Law Regulations or under any other law in a Summary Martial Law Court could be fairly conducted and justice accorded to an accused who was not represented by a lawyer. It is generally agreed that any person brought into court cannot be assured of a fair trial unless counsel is provided for him. The need of an accused person for a lawyer has been forcefully described by Justice Sutherland of the American Supreme Court in the case of *Powell v. Alabama*.<sup>34</sup> As he observes:

"The right to be heard would be in many cases of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent and educated lawyer has small and sometimes no skill

<sup>34</sup>77 SCR (L. ed.) US 158.



in the science of law. If charged with crime, he is incapable, generally of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel he may be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defence, even though he may have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence.<sup>35</sup>

Thus the denial of the right of the accused to the services of a lawyer in a trial before a Summary Martial Law Court exposed him to the danger of being convicted upon insufficient, irrelevant or inadmissible evidence and without a proper charge. In this context, it may be pointed out that even under Section 113 of the Bangladesh Army Act Rules, 1954, an accused person at a trial by Summary Court-martial could have a "legal adviser" to assist him during the trial.

(d) *Provisions Relating to the Grant of Bail*

With regard to the power of the court to admit to bail, Regulation 6(2) stated, that "No person accused or convicted of an offence punishable under these Regulations shall, if in custody, be released on bail by a Court or Tribunal without the consent of the prosecution".

Thus under this Regulation, the ultimate authority to grant bail in cases relating to offences punishable under Martial Law Regulations was given, instead of to the Martial Law Court or tribunal, to the prosecution. Therefore, the granting of bail depended on the will of the prosecution rather than the discretion of the Martial Law Court. But under the Criminal Procedure Code, there was no such restriction on the power of the criminal court to grant bail: no consent of the prosecution was at all necessary. Under it, the power of the High Court or Court of Session to admit to bail was discretionary.<sup>36</sup> This discretionary power was not arbitrary but was judicial and was governed by established principles.<sup>37</sup>

<sup>35</sup>*Ibid.*, p. 170.

<sup>36</sup>For example, see Sec. 498 of the Criminal Procedure Code.

<sup>37</sup>In exercising the discretionary power of granting bail, the following matters are generally taken into consideration: the seriousness of the charge; the severity of the punishment prescribed for the offence; whether the accused is a habitual offender in the crime with which he is charged, or is, in other respects of criminal bent of mind; whether on account of his detention his dependents would be deprived of their subsistence; age, health and sex of the accused; whether the accused, if at liberty, would tamper with and destroy the evidence intended to be adduced against him.



*(e) Provisions Relating to Appeal from the Judgment of the Martial Law Courts*

Originally Regulation 4(1) of the Martial Law Regulations, 1975, (Regulations No. 1 of 1975) provided that "No appeal shall lie from any unanimous judgment or decision of a Special Martial Law Court or from any judgment or decision of a Summary Martial Law Court". But "If any judgment or decision of a Special Martial Law Court is not unanimous, an appeal from such judgment or decision shall lie to an Appellate Tribunal which shall consist of one member to be appointed by the Government from among persons who are or have been Judge of the Supreme Court or of any High Court that functions at any time in the territory of Bangladesh".<sup>38</sup> Such an appeal "shall have to be preferred within fifteen days of the delivery of judgment".<sup>39</sup> The Appellate Tribunal could, "on appeal, confirm, set aside, enhance, vary or modify any judgment or sentence and the decision of such tribunal shall be final".<sup>40</sup> It "shall, for the purpose of hearing an appeal, have the same powers and follow as nearly as possible, the same procedure as are vested in and followed by the High Court Division under the Code".<sup>41</sup>

Thus it is evident that no appeal was allowed from any unanimous decision of the Special Martial Law Court and from any judgment of Summary Martial Law Court, including the judgment pronounced by them while trying ordinary cases. Appeal was provided for only against those decisions or judgments of Special Martial Law Courts which were not unanimous. But, instead of empowering any court of law to hear such an appeal, a separated forum of appeal, i.e. the Appellate Tribunal,<sup>42</sup> was created. However, the provision for a limited appeal to an Appellate Tribunal against the decision of a Martial Law Court was unprecedented in the history of Martial Law Administration in the subcontinent.

Whatever limited appeal was provided for against the decision of a Special Martial Law Court that itself was taken away on 28 December 1976 by the promulgation of the Martial Law (Twenty-Third Amendment) Regulations, 1976. As this Regulation read: "No appeal shall lie from any order, judgment or sentence of a Martial Law Court".

Thus the Martial Law regime of Bangladesh ultimately prohibited

<sup>38</sup>Regulation 4(2).

<sup>39</sup>Regulation 4(6).

<sup>40</sup>Regulation 4(7).

<sup>41</sup>Regulation 4(8).

<sup>42</sup>It may be pointed out that the provisions contained in Regulation 4 relating to the composition, power and procedure of Appellate Tribunal were, to a great extent, the reproduction of Section 30 (as amended by the Special Powers (Amendment) Act No. LIX of 1974) of the Special Powers Act, 1974.



any kind of appeal against any judgment or sentence including death sentences or sentences of life imprisonment passed in a Martial Law case or a civil case by any Martial Law Court, Special or Summary. Therefore, a person convicted of a Martial Law offence or of a civil offence was denied the right of taking the decision of a Martial Law Court to a court of law or to any appellated authority with a view to ascertaining whether the judgment pronounced against him was sustainable. Since Martial Law was not proclaimed under the common law doctrine of necessity to restore law and order, most of the Martial Law offences were already offences under ordinary law and above all, the Martial Law Courts were empowered to try ordinary offences, the denial of the right of appeal against judgment of Martial Law Courts cannot be justified.

(f) *Review of Sentences Passed by the Martial Law Courts*

Originally, Regulation 4(3) of the Martial Law Regulations, 1975 (Regulations No. 1 of 1975) provided that "All proceedings of Special Martial Law Courts shall be submitted to the Government for review..." But all proceedings of Summary Martial Law Courts were "to be submitted to the Sessions Judge within whose jurisdiction they held the trial, for review"<sup>43</sup> "The Government or a Sessions Judge, as the case may be, may, on review, reduce any sentence".<sup>44</sup> Regulation 4(10) provided that "No lawyer shall appear or plead before the Government or a Sessions Judge at the time of review of a case".

Thus review was granted to the convicts as a remedy against the judgment of Martial Law Courts, the remedy for which there was no provision in the Criminal Procedure Code of Bangladesh. However, it is evident that, although review was granted by way of relief, no particular mode of disposing of a review matter was provided for. This enabled the government and the sessions judges, as the reviewing authorities of the judgments of Special and Summary Martial Law Courts respectively, to dispose of the review as they saw fit. Moreover, the convicts were not given any right of hearing, legal representation or personal appearance at the time of review of the judgments of cases. Therefore, it seems that the review was not a judicial but an administrative review. Since there was no provision for review in the Criminal Procedure Code, it can be said that the Sessions Judge, when acting as the reviewing authority under clauses (4) and (5) of Regulation 4, acted not as a criminal court but as a *persona designata*.

<sup>43</sup>Regulation 4(4).

<sup>44</sup>Regulation 4(5).



However, the conferment of the power of reviewing the decisions of Martial Law Courts on the government and the sessions judge was unprecedented in the history of Martial Law administration in the sub-continent.

However, the Martial Law (Twenty-Third Amendment) Regulations 1976 (Regulations No. XXXIII of 1976), issued on 28 December 1976 by Major-General Ziaur Rahman who had replaced President A. M. Sayem as the Chief Martial Law Administrator on 29 November 1976 changed the forum of review.

The government was replaced by the Chief Martial Law Administrator as the reviewing authority of the judgments of Special Martial Law Courts. Unlike the Chief Martial Law Administrators of Pakistan in 1958 and 1969, the Chief Martial Law Administrator of Bangladesh took such power, perhaps, in order to assume an effective and dominant role in the dispensation of justice and, as such, he widened the scope of the review power. Previously the government as the reviewing authority, could, on review, only reduce any sentence passed by the Special Martial Law Court. But now the Chief Martial Law Administrator might, on review, set aside, vary, or modify any order, judgment or sentence or make orders for retrial or such other orders as he deemed necessary for the ends of justice. Thus he assumed the ultimate authority of providing relief in respect of judgments of Special Martial Law Courts, the authority which was largely parallel to the powers of Appellate Court<sup>45</sup> in disposing of appeal under the Criminal Procedure Code.

Later on 4 June 1977, The Martial Law (Twenty-Fourth Amendment) Regulations, 1977, (Regulations No. III of 1977) provided that "All proceedings of Special Martial Law Courts shall, immediately after the termination thereof, be submitted to the Government for review". The Government may, on review, set aside, vary or modify any order, judgment or sentence or make orders for retrial or such other orders as it deems necessary for the ends of justice".

Thus only five months later, the power of review reverted to the government, i.e., the government was substituted for the Chief Martial Law Administrator as the reviewing authority. In an interview, the then Principal Staff Officer (Martial Law Affairs) said that this was done as the task of carrying out review was considered as an additional burden.<sup>46</sup> However, although the Chief Martial Law Administrator was replaced by the government as the reviewing authority, the wide power

<sup>45</sup>See Sec. 423 of the Criminal Procedure Code.

<sup>46</sup>The interview with the author took place in September, 1984.



conferred on the Chief Martial Law Administrator by the Martial Law (Twenty-Third Amendment) Regulations, 1976, was retained.

With regard to the review of sentences passed by the Summary Martial Law Court, the Martial Law (Twenty-Third Amendment) Regulations, 1976 (Regulations No. XXXIII of 1976), the Regulations which replaced the government by the Chief Martial Law Administrators as the reviewing authority of sentences passed by a Special Martial Law Court, provided that "All proceedings of Summary Martial Law Courts shall, immediately after the termination thereof, be submitted to the Zonal Martial Law Administrator, within whose Jurisdiction the trials were held, for review". "A Zonal Martial Law Administrator may, on review, set aside, vary or modify any order, judgments or sentence or make order for retrial or such other orders as he deems necessary for the ends of justice". But "no order setting aside any order, judgment or sentence or for retrial shall be made by a Zonal Martial Law Administrator without the prior approval of the Chief Martial Law Administrators".

Thus the sessions judge was replaced by an army personnel having no legal background as the review authority in respect of sentences passed by a Summary Martial Law Court. The scope of the review power of the Zonal Martial Law Administrator was defined. Before the promulgation of the Martial Law (Twenty-Third Amendment) Regulation, 1976, the sessions judge had been given independent power, on review, to reduce any sentence passed by the Summary Martial Law Court. But this Regulation conferred on the Zonal Martial Law Administrator the wider power of review. He could, on review, set aside, vary or modify any order, judgment or sentence or make orders for retrial or such other orders as he deemed fit. Although the Zonal Martial Law Administrator could pass an order to vary or modify any order, judgment or sentence of Summary Martial Law Court independently, while to pass the order setting aside any order, judgment or sentence or for retrial, he had to obtain prior approval of the Chief Martial Law Administrator to this effect.

Later the Martial Law (Twenty-Fifth Amendment) Regulations, 1977 (Regulations No. VIIIA of 1977), issued on 14 November 1977, provided that "All proceedings of Summary Martial Law Courts shall, immediately after the termination thereof, be submitted to the Sessions Judge within whose jurisdiction the trials were held, for review". "A Sessions Judge may, on review, set aside, vary or modify any order, judgment or sentence or make orders for retrial or such other orders as he deems necessary for the ends of justice"



Thus the power of review in respect of sentences passed by the Summary Martial Law Court was given back to the sessions judge; Zonal Martial Law Administrator was substituted by the sessions judge as the reviewing authority. The change of the forum of review was inevitable in view of the fact that on 9 November 1977, five days before the promulgation of the Martial Law (Twenty-Fifth Amendment) Regulations, 1977, all orders relating to the creation of zones and the appointment of Zonal Martial Law Administrators had been repealed with immediate effect. Although this change occurred as a result of necessity arising out of such repeal, the return of the power of review to the sessions judge was a healthy step in the direction of the administration of justice. However, the wide power of review as conferred on the Zonal Martial Law Administrator, was also given to the sessions judge. But unlike the Zonal Martial Law Administrator to the sessions judge could independently, on review, pass any order setting aside the judgment or mark orders for retrial; no prior approval of the Chief Martial Law Administrator was necessary.

(fa) *The Finality of the Sentences Passed by the Martial Law Courts upon Review*

With regard to the finality of the sentences passed by Martial Law Courts, the Martial Law (Twenty-Third Amendment) Regulations, 1976, provided that "Subject to review, all orders, judgments and sentences of a Martial Law Court shall be final".

Thus the proceedings of Martial Law Courts received finality upon review by the appropriate authority. But under Section 430 of the Criminal Procedure Code, generally all judgments and orders passed by an Appellate Court upon appeal were to be final.

(g) *Confirmation of Certain Sentences Passed by the Special Martial Law Courts*

Regulation 4(2) provided that "...all sentences of death or transportation for life shall have to be confirmed by the President".

The conferment on the President of the power to confirm death sentences passed by Martial Law Court was unexampled in the history of Martial Law administration in the subcontinent. However, apart from death sentences, the sentence of transportation for life passed by the Special Martial Law Court were also to be confirmed by the President. But under Section 374 of the Criminal Procedure Code, only the death sentences passed by the Courts of Session were liable to be confirmed and the authority for such confirmation was the High Court.

Although the President was empowered to confirm death sentences, he could not pass any other sentence warranted by law or annul the conviction or acquit the accused person or order a fresh trial while discharging



his duties as the sentences and judgments of Martial Law Courts were invested with finality on review. It would, therefore, appear that this power of confirmation was conferred on him as a matter of routine without any real significance. Here it may be mentioned that under Article 57 of the 1972 Constitution, the President had the power to grant pardon, reprieve and respite, and to remit, suspend or commute any sentence passed by any court, tribunal or other authority. But the question of exercising such powers only arose on the submission of mercy petitions to him.

(h) *The Exclusion of the Jurisdiction of Civil Courts from Questioning the Judgments or Proceedings of the Martial Law Courts*

Regulation 4(9) of the Martial Law Regulations stated that "...no order, judgment, decision or sentence of Martial Law Court shall be called in question in any manner whatsoever in or before any Court, including (the High Court<sup>47</sup> and) the Supreme Court". These provisions were not considered enough and, as such, later on 28 December 1976, it was enacted that "No Court, including the High Court and Supreme Court, shall call for the records of the proceedings of any Martial Law Court for any purpose whatsoever".<sup>48</sup>

The effect of these provisions was that no court, including the High Court and the Supreme Court, shall have any normal power to call in question any judgment or sentence of the Martial Law Court even when it involved a death sentence or a sentence pronounced in a criminal case. Even the power of the criminal court to call for and examine the records of any proceeding before Martial Law Court in respect of a case under both ordinary law and Martial Law Regulations for the purpose of satisfying itself as to the correctness, legality or propriety of any finding, sentence or order recorded or passed, and as to the regularity of any proceedings of such a court was ended. Thus the jurisdiction of any court to give any form of relief to an accused person during his trial or conviction by a Martial Law Court, whether in a Martial Law case or in an ordinary case was completely ended—a state of affairs which is contrary to the principle of natural justice.

### Conclusion

To sum up, like the 1958 and 1969 Martial Law regimes of Pakistan, the 1975 Martial Law regime of Bangladesh provided for the setting up of two types of Martial Law Courts, namely the Special Martial Law

<sup>47</sup>The words within brackets were added to Regulation 4(9) by the Martial Law (Twenty-Third Amendment) Regulations, 1976.

<sup>48</sup>*Ibid.*



Court and the Summary Martial Law Court, parallel to the existing civilian courts. Like the Military Courts established in Pakistan during 1958 and 1969 Martial Law, the jurisdiction of Martial Law Courts of Bangladesh was extended to the trial of offences under the ordinary law—which had previously been the exclusive jurisdiction of the civilian courts. Unlike the British Martial Law administration in India and the Martial Law regimes of Pakistan in 1958 and 1969, the ordinary criminal courts were not given concurrent jurisdiction to try offences under Martial Law Regulations. The Martial Law Courts comprised members who were career armed forces officers with no legal training or qualification and, as such, could not be expected to exercise a fair judgment. Unlike the previous Martial Law administration in the subcontinent, the detailed procedures of Martial Law Courts were laid down which mostly resembled the Special powers Act, 1974 of Bangladesh rather than the procedures of any courts-martial under the Army Act. However, as a result of the trial before a Martial Law Court an accused suffered a number of disabilities. The evidence was not required to be taken in full. The accused could not be defended by a lawyer in a trial before the Summary Martial Law Court. Trials before the Special Martial Law Court could be held *in camera*. Contrary to the normal procedure, the granting of bail to a person accused or convicted of a Martial Law offence was made subject to the consent of the prosecution. Ultimately, the right of appeal was extinguished. Unlike the British Martial Law administration in India which in Malabar in 1921 and in Peshawar in 1930 had allowed right of appeal against sentences of death and life imprisonment, even no provision was made for the right of of appeal in case of such sentences. For the first time in the history of Martial Law Administration in the subcontinent, the President was invested with the power to confirm death sentences. He was also empowered to confirm sentences of life imprisonment. But he could not interfere with these sentences while exercising the power of confirmation. Only review was provided for by way of remedy. Unlike the Martial Law administration in Pakistan in 1958 and 1969, the powers of review in respect of sentences passed by Summary Martial Law Court and Special Martial Law Court were given to sessions judge and the government. Thus no Justice of the High Court or the Supreme Court was given the power to review any sentence passed by a Special Martial Law Court although the sessions judge was invested with the power to review any sentence passed by the Summary Martial Law Court. However, since no personal hearing, legal representation or particular procedure for review was provided for, the remedy of review failed to give the convict any substantial relief. Like the 1958 Martial Law regime of Pakistan, the



jurisdiction of the courts, including the High Court and the Supreme Court, was excluded from calling the records of the proceedings or calling in question any order, judgment, decision or sentence of Martial Law Courts. Thus the constitutional and legal safeguards to ensure a fair trial and natural justice disappeared and, indeed, allowed for the miscarriage of justice.



# Fundamental Human Rights in Bangladesh

Syed Kamal Mostafa

## Introduction

There has been a general recognition that the state exists, or should exist, to promote the welfare of its citizens. To this end and in order that the constitutional system may be a government of laws and not of men, it is customary to limit the powers of government and thereby protect the rights of persons, which are inalienable, inherent and fundamental. The purpose of having a declaration of fundamental rights in the constitution is that such rights should be considered inviolable. They can be taken away only in the manner in which the constitution provides. "The very purpose of a Bill of Rights", says Justice Jackson in *West Virginia State Board of Education v. Barnette*, "was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts... fundamental rights may not be submitted to vote; they depend on the outcome of no elections."<sup>1</sup>

The constitution of Bangladesh contains a clear statement in regard to the fundamental rights of individuals. The provisions cover a variety of rights traditionally incorporated in a modern constitution. These are the following:

### 1. Right to Equality before Law

The notion of equality before law and of prohibition of discrimination is of the essence of human freedom. Every democratic government is in duty bound to protect all the citizens in the enjoyment of equality before law. Equality before law and equal protection of law are assured by Article 27 of the constitution of Bangladesh. This corresponds to Article 5 of the

<sup>1</sup>A.K. Brohi, *Fundamental Law of Pakistan* (Karachi: Din Muhammadi Press, 1958) p. 317.



constitution of Pakistan, 1956 and right number 15 under the constitution of Pakistan, 1962. Article 14 of the Indian constitution guarantees such rights to all persons whether they are Indian citizens or not.

Prof. Dicey treats 'equality before the law' as one of the three meanings of 'rule of law' which forms a fundamental principle of the English constitution.<sup>2</sup> And the phrase 'equal protection of the laws' is embedded in the Fourteenth Amendment to the U.S. constitution, which declares that no state shall deny to any person the equal protection of the laws. The provision was inserted to protect Negroes; it stands also as a guarantee to others.

The expressions equality before the law and equal protection of the laws "are not independent or severable concepts in their application and will often be found to overlap each".<sup>3</sup> In a Madras High Court case it was observed that equality before the law means that among equals the law should be equal and should be equally administered and that the like should be treated alike. Hence, it does not mean that things which are different shall be treated as though they were the same.<sup>4</sup> The High Court Division of the Supreme Court of Bangladesh observed that equal protection under the constitution means right to equal treatment in similar circumstances and that there should be no discrimination between one person and another if, as regards the subject matter, they stand on the same footing.<sup>5</sup>

The Bangladesh court has played an important role in enforcing equality clause in the constitution. In the case of *Dr. Nurul Islam v. Government of Bangladesh* the Appellate Division of the Supreme Court Bangladesh declared section 9(2) of Government Servants (Retirement) Act XII of 1974 invalid being violative of Article 27 of the constitution since in the absence of any guideline for selecting a government servant for the retirement this section was discriminatory.<sup>6</sup> In the case of *Hamidul Huq Chowdhury v. Bangladesh* it is stated that government dissolved and took over all the assets, etc. of the two companies of the petitioners. Government acted arbitrarily and without permissible classification—only petitioners' companies were singled out leaving many others of the same class. The High Court declared that it was violative of the equality clause under the constitution.<sup>7</sup>

<sup>2</sup>A.V. Dicey, *An Introduction to the Study of the Law of the Constitution* (London: Macmillan & Co. Ltd., 1965) pp. 202-203.

<sup>3</sup>*Dr. Nurul Islam v. Bangladesh*, 33 DLR(AD) (1981) 241.

<sup>4</sup>A.K. Brohi, *Op. cit.*, p. 341.

<sup>5</sup>*Hamidul Huq Chowdhury v. Bangladesh*, 34 DLR (1982) 200.

<sup>6</sup>Cited in *Habibullah Khan v. S.A. Ahmed*, 35 DLR(AD) (1983) 95-96.

<sup>7</sup>34 DLR (1982) 191.



In *Haji Joyanal Abedin v. State* the High Court held that transfer of the case from the Court of Special Tribunal to Special Martial Law Court is hit by Article 27, because in one case there is an appeal before Appellate Tribunal and in another case there is no appeal.<sup>8</sup>

## 2. Some Specified Aspects of Right to Equality

The right to equality, in general, having been considered, it becomes now necessary to make comments in respects of Articles 28 and 29, which are examples of the general rule of equality provided by Article 27.

(i) *Prohibition of discrimination* : The doctrine of equality before law necessarily comments prohibition of discrimination as between person and person. In U.S. right of vote irrespective of race, colour or previous condition of servitude has been emphasised by the Fifteenth Amendment. Clause I of Article 28 of the constitution of Bangladesh which corresponds to clause I of Article 15 of Indian constitution, states that the state shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth. The prohibition extends to Parliament, the Government and statutory public authorities.<sup>9</sup> The Supreme Court of India in *Nain Sukh Das v. State of U. P.* held that a law which provided for separate electorate on the basis of religion was void as discriminatory.<sup>10</sup>

It should be noted that if there are other grounds for discrimination other than the specified ones, the ban vanishes. Any other discrimination has to be viewed under the general Article, Article 27. To fix physical fitness to certain types of employment. e.g., is quite reasonable.

(ii) *Equal rights of women*: Women are of the same human status as men. Article 35 of the constitution of U.S.S.R. expresses that women and men have equal rights. Equal treatment to women in Bangladesh is assured by clause 2, Article 28 of the constitution, which guarantees that women and men have equal rights with men in all spheres of the state and of public life. The Proclamations (Amendment) Order, 1977 states that steps shall be taken to ensure participation of women in all spheres of national life. The constitution of 1956 and 1962 of Pakistan did not guarantee such rights to women.

Women in Bangladesh have the same rights as men to elect and be elected in public offices. Thirty seats of the Parliament are reserved exclusively for women members. Women have equal access with men to edu-

<sup>8</sup> 30 DLR (1978) 393.

<sup>9</sup> Art. 152(1) of the Constitution of Bangladesh.

<sup>10</sup> A. Munim, *Rights of the Citizen under the Constitution and Law* (Dhaka: Bangladesh Institute of Law & Int. Affairs, 1975) p. 279.



cation and vocational and professional training, equal opportunities in employment, remuneration and promotion and in social, political and cultural activity. Each landless family is getting two acres of khas land and it is being distributed in the joint names of husband and wife.<sup>11</sup> Like men, she has equal right to bear witness. In *Noor Islam v. State* the Jessore Bench of High Court remarks: "Only because of the fact that all the witnesses are females their statements should not be believed has got no substances ... There is no law in the country not to believe the evidence of female witnesses and convicting a person relying on their evidence."<sup>12</sup>

(iii) *Non-discrimination in respect of access to public places*: Clause 3 of Article 28 of the constitution of Bangladesh also envisages the principle of equality. It postulates that no citizen shall be subjected to any discrimination with regard to access to any place of public entertainment or resort, or admission to any educational institution on grounds only of religion, race, caste, sex or place of birth. It should be noted that if there is some other reasonable cause for different treatment, such discrimination is constitutional.

There is, however, an exception to such prohibition. Thus clause 4 of Article 28 provides for the making of special provision in favour of women or children. This is because women and children require special treatment on account of their very nature. The clause also empowers the state to make special provision for the advancement of any backward section of citizens. This clause corresponds to clause 4 of Article 15 of the Indian constitution. In *Puppala Sudarsan v. State of Andhra Pradesh* it was pointed out that a state may direct that a certain per cent of the seats in an educational institution should be reserved for candidates from backward classes.<sup>13</sup>

(iv) *Equality of opportunity in public employment*: Western constitutions are not so explicit in the matter of equality of opportunity. Section 3, Article VI of the U.S. constitution and Article 116 of the Australian constitution prohibit religious test for employment. Art. 29(1) of the constitution of Bangladesh provides equality of opportunity for all citizens in respect of employment or office in the service of the Republic. The service of the Republic implies any service, post or office whether in a civil or military capacity, in respect of the Government of Bangladesh, and

<sup>11</sup> 3 March 1987, *Daily News*.

<sup>12</sup> 36 DLR (1984) 125.

<sup>13</sup> V.G. Ramachandran, *Fundamental Rights and Constitutional Remedies* (Lucknow: Eastern Book Co., 1972) Vol. I, p. 478.



any other service declared by law to be a service of the Republic.<sup>14</sup> It does not include any private service. The case of *Zainal Abedin v. Government of Bangladesh* may be cited here. The High Court held that Government Servants (seniority of freedom fighters) Rules, 1979 was violative of equality clauses of Article 27 and equal opportunity in respect of employment under Article 29(1).<sup>15</sup>

The grounds on which no discrimination can be made are scheduled in Article 29(2). These are only religion, race, caste, sex or place of birth. Clause 3 of the Article sets out certain exceptions. The state may make special provision (a) in favour of any backward section for securing their adequate representation in the service of the state, (b) to give effect to any law for reserving appointments relating to any religions or denominational institution and (c) to reserve for one sex any employment on the consideration that it is unsuited to the opposite sex. However, it should be remarked that a proviso or an exception can not be so interpreted as to nullify or destroy the main provision.<sup>16</sup>

### 3. Right to Protection of Law

Citizens must have a constitutional guarantee that they will not be called upon to do something or refrain from doing something without a provision of law. The inalienable right to enjoy the protection of the law, and to be treated in accordance with law has been guaranteed by Article 31. It further provides that no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law. The rights extend not only to the citizens of Bangladesh, but to every other person who is present in Bangladesh.

Reference of the case of *Ragib Ali v. Bangladesh* seems to be relevant here. The High Court remarked that the Government officers would do well to remember that to enjoy the protection of law and to be treated only in accordance with law is the inalienable right guaranteed to every citizen under the constitution, otherwise the confidence and trust of the people in the government may be seriously undermined. The court also directed the respondents to restore the property of the petitioner who was deprived of due protection from the government for maintaining his rightful possession.<sup>17</sup> In the case of *Mafizur Rahman v. Government of Bangladesh* the Appellate Division of Supreme Court remarked that every action

<sup>14</sup>Article 152 of the Constitution of Bangladesh.

<sup>15</sup>34 DLR (1982) 79.

<sup>16</sup>*Messers East & West Steamship Co. v. Pakistan*, PLD (1958) SC 41.

<sup>17</sup>34 DLR (1982) 189.



affecting a citizen's right must not be taken "according to whims of the person in authority or under any executive fiat."<sup>18</sup>

#### 4. Right to Life and Personal Liberty

Under the English Constitution personal liberty means a right not to be subjected to imprisonment or physical coercion that does not admit of legal justification. Article 32 of the constitution of Bangladesh proclaims that no person shall be deprived of life or personal liberty save in accordance with law. The provision is analogous to the provision of the Fifth Amendment of the U.S. constitution, which states that no person shall be deprived of life, liberty, or property without due process of law. The constitution of Bangladesh substitutes for "due process of law" "save in accordance with law."

The Appellate Division of the Supreme Court of Bangladesh in the case of *Abdul Latif v. Government of Bangladesh* holds that "the term law as used in these Articles (i.e. Articles 31 and 32) does not mean only Statute law but has been used in its generic sense as connoting all that is treated as law in this country including even the judicial principle laid down from time to time by the superior courts."<sup>19</sup> In this connection the case of *Abul Hossain Sikder v. State* may be discussed. Against the provision of the law (i.e., without orders from the competent Magistrate) the police in the case of a non-cognizable offence took up investigation. Magistrate unaware of the provision of law took up cognizance of the case. The whole procedure was held illegal by the High Court.<sup>20</sup>

#### 5. Safeguards as to Arrest and Detention

Following the constitution of 1956 and 1962 of Pakistan and the Indian constitution the constitution of Bangladesh prescribes certain rights to arrested persons and lays down vital rules with regard to preventive detention. These are the following:

(i) *Rights to be informed of the grounds of arrest and to be defended by a lawyer*: Clause I, Article 33 of the constitution extends to the arrested person the right to be informed, as soon as may be, of the grounds for arrest. This corresponds to clause 3 of Article 9 of the Covenant on Human Rights, 1950, which reads that anyone who is arrested shall be informed promptly of the reasons for his arrest. The intimation enables the person concerned to make an application for bail, or to prepare his defence for trial. Clause I also gives to the arrested person the right to

<sup>18</sup> 34 DLR (AD) (1982) 335-36.

<sup>19</sup> 31 DLR (AD) (1979) 23.

<sup>20</sup> 35 DLR (1983) 201-02.



be defended by a legal practitioner of his choice. An analogous provision is found in the Sixth Amendment to the U.S. Constitution, which gives the accused the right to have the assistance of counsel for his defence.

The case of *State v. Munna* before the Dacca High Court may be mentioned here. It is stated that late appointment of defence lawyer by the court had resulted in prejudice to the prisoner and for this reason sentence of death was set aside and the case was sent back for retrial with a direction for appointment of a defence lawyer in time.<sup>21</sup>

(ii) *Right to be produced before the nearest magistrate* : The Habeas Corpus Act in Britain impels law enforcing officers to bring an individual before the court to test the validity of the imprisonment. In accordance with clause 2, Article 33 of the constitution of Bangladesh every person who is arrested and detained in custody must be produced before the nearest Magistrate within twenty four hours and he must not be detained in custody for a longer period unless a Magistrate has authorised such detention. The period of twenty four hours is to be computed excluding the time necessary for the journey from the place of arrest to the court. The procedure ensures a magisterial scrutiny of the detention and that the accused need not feel apprehensive of undue harassment. It also affords opportunity to him to meet a judge so as to place before him his grievance, if any. This right was emphasised by the High Court in *Belayet Hossain v. Deputy Commissioner*.<sup>22</sup>

(iii) *Preventive Detention*: Preventive detention is a precautionary measure in that it authorizes the executive to impose restraints upon a man who may not have committed a crime but who, it is apprehended, is about to commit acts that are prejudicial to public safety, etc. In the western democratic states it has usually exercised in emergencies like war. India, Pakistan, Bangladesh, Burma, Ghana and some other states permit resort to it even in peace time. Clauses 4, 5 and 6 of Article 33 of the constitution of Bangladesh, however, provide certain limitations of the power of the government to a person who is being detained under the law of preventive detention. These are :

(A) *Period of detention*: Clause 4, Article 33 provides that an Act shall not authorise detention for longer than six months unless within that period an Advisory Board consisting of three persons, of whom two shall be persons who are, or have been or are qualified to be Judges of the Supreme Court and the other shall be a senior officer, after afford-

<sup>21</sup> 27 DLR (1975) 29; see also *The State v. Purna Chandra Mondal*, 22 DLR (DAC) (1970) 289 and *State v. Imdad Ali*, 36 DLR (1984) 333.

<sup>22</sup> 28 DLR (1976) 307.



ing the detenu an opportunity of being heard in person, holds that there is cause for further detention. If the Board holds that there is no cause for detention for more than six months the person must be released. The law of Bangladesh and India in this respect differs from the English law under which the Home Secretary is not bound to release the detenu if the Advisory committee advises to that effect.<sup>23</sup>

(B) *Grounds of detention and right of representation*: Clause 5, Art. 33 provides that the detenu is entitled to grounds of detention to be supplied to him "as soon as may be" after the order. Section 8 of Special Powers Act, 1974 provides that the detaining authority shall inform the person detained of the grounds of detention, at the time of detention or as soon thereafter, but later than fifteen days.<sup>24</sup> Clause 5 provides that the detenu is to be afforded earliest opportunity to make representation against the order.

Mention of a few cases seems to be relevant here. In *Anwar Hossain v. Bangladesh* it is stated that grounds of detention, were not served upon the detenu. The High Court considered the non-service of the grounds of detention as a fatal defect in the proceeding for detention, because it deprives the detenu from making necessary representation to the Advisory Board.<sup>25</sup> In *Abdul Latif Mirza v. Government of Bangladesh* the Appellate Division of Supreme Court held that grounds to be supplied to the detenu must be clear, precise and not vague in order to enable him to make representation.<sup>26</sup> In the case of *Humayun Kabir v. State* the High Court held that the detenu must be supplied with the necessary writing materials, of an interview with his lawyer.<sup>27</sup>

(C) *Non-disclosure of facts*: Proviso of clause 5, Article 33 is a safeguarding provision for the government not to disclose facts which are against public interest. It must be noted that there is the obligation to disclose all "the grounds" though not "facts," what facts are against public interest is left to the detaining authority. In the case of *Govt. of E.P. v. Rowshan Bijoya* the Supreme Court observed: "What facts can be revealed will, of course, depend upon the circumstances of each case. But they must, in any event, be such as would enable the person in question to make an effective representation as a total suppression of all material facts would render the constitutional safeguard illusory."<sup>28</sup>

<sup>23</sup>V.D. Mahajan, *Select Modern Governments* (New Delhi: S. Chand and Co. Ltd., 1972) p. 84.

<sup>24</sup>*Humayun Kabir v. State*, 28 DLR (1976) 275.

<sup>25</sup>30 DLR (1978) 423.

<sup>26</sup>31 DLR (AD) (1979) 2.

<sup>27</sup>28 DLR (1976) 276.

<sup>28</sup>18 DLR (SC) (1966) 238.



Preventive detention is a serious invasion of personal liberty and such meagre safeguards as the constitution has prescribed against improper exercise of the power must be jealously guarded and enforced by the court.

#### 6. Prohibition of Forced Labour

The Thirteenth Amendment to the U.S. Constitution prohibits slavery and involuntary service. Article 34 of the constitution of Bangladesh does not expressly mention slavery, but it prohibits all forms of forced labour. It is likely that the prohibition would extend to slavery if any attempt is made to introduce it. Both the constitutions of 1956 and 1962 categorically prohibited slavery. The Slavery Act of 1843 of India relieved all persons then subject to slavery from all disabilities arising out of that status. Section 374 of the Bangladesh Penal Code makes it penal for anyone unlawfully to compel any person to labour against the will of that person. This rule is in keeping with the constitutional principle against forced labour. The ingredient of the offence under Section 374 have been judicially interpreted in the case of *Madan Mohan Biswas v. Queen-Empress*.<sup>29</sup>

Clause 2, however, provides forced labour for persons undergoing punishment for a criminal offence and for public purposes and that too only by law. There is no reference in this sub-paragraph for payment of compensation for compulsory services for public purposes. In *Robertson v. Baldwin* provision requiring labour for a reasonable time on public roads without direct compensation was held valid.<sup>30</sup>

#### 7. Protection in respect of Trial and Punishment

The constitution of Bangladesh guarantees certain protection in respect of trial and punishment. These can be discussed under the following heads:

(1) *Protection against retrospective offences or punishment* : It is the requirement of any system of civilised law that retrospective effect ought not to be given to penal legislation. Article 35 of the constitution states that no person shall be convicted of any offence except for violation of a law in force at the commission of the act charged as an offence. It prohibits what in the language of American jurisprudence is known as the making of *ex post facto* laws. The clause also prevents the state from subjecting any person to a penalty greater than, or different from, that which might have been inflicted under the law in force at the time of commission of the offence. This paragraph imposes limitations on the power

<sup>29</sup>For details see A.K. Brohi, *Op. cit.*, pp. 392-93.

<sup>30</sup>S. Sharifuddin Pirzada, *Fundamental Rights & Constitutional Remedies in Pakistan*, (Lahore: All Pak Legal Decisions, 1966) p. 211.



of the Parliament as regards retrospective criminal legislation. Such constitutional prohibition has been emphasized and cited by the Appellate Division of the Supreme Court in the case of *Mafizur Rahman v. Government of Bangladesh*.<sup>31</sup>

(II) *Double Jeopardy* : The doctrine of double Jeopardy can be traced to the maxim "*Nemo debet bis vexari pro eadem causa*", i.e., no person should be twice disturbed for the same cause. The Fifth Amendment to the U.S. constitution provides that no person shall be subjected for the same offence to be twice put in jeopardy. This doctrine is conveyed by clause 2, Article 35 of the constitution of Bangladesh, which states that no person shall be prosecuted and punished for the same offence more than once. In the case of *Abdul Jabbar v. Bangladesh* the High Court held that the accused persons who were tried by a Summary Military Court in September, 1971 could not be re-tried again after the liberation of Bangladesh on the ground that the earlier trial was not legally acceptable.<sup>32</sup>

(III) *Speedy and public trial by a tribunal or court* : It is judicious that the accused must have a guarantee to be fairly dealt with. Art. 9(3) of International Covenant on Civil and Political Rights provides that anyone arrested or detained on a criminal charge shall be entitled to trial within a reasonable time or to release. And Article 14 provides that every one shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. Clause 3, Article 35 of the constitution of Bangladesh provides that every person accused of a criminal offence shall have the right to a speedy and public trial by an independent and impartial court or tribunal established by law. There were no such provisions in the constitution of 1956 and 1962. It may be observed that such declaration makes the trial reasonably prompt and people may see that justice is done. Secret tribunals are regarded as instruments of oppression.

This right of speedy trial has also been recognised by the court. In the case of *Abdur Rashid Talukdar v. Deputy Commissioner* the High Court deplored: "The manner in which this case is being prosecuted also shows extreme laxity on the part of the prosecution and as such the fundamental right of speedy trial as guaranteed under Article 35(3) of the constitution has also been contravened."<sup>33</sup>

<sup>31</sup>For details see 34 DLR (AD) (1982) 323.

<sup>32</sup>33 DLR (1981) 230.

<sup>33</sup>28 DLR (1976) 309. Martial Law Administration in Bangladesh had resorted to the use of martial law courts to deal with ordinary crimes of civilians. Such a court composed almost entirely of army personnel without legal qualifications



(IV) *Protection against self-incrimination*: There is a maxim that no man is compellable to accuse himself. It originated as a protest against inquisitional methods of the Ecclesiastical Courts. Clause 4 of Article 35 of the constitution of Bangladesh expresses that no person accused of any offence shall be compelled to be a witness against himself. It seems that the provision not merely outlaws the use of torture by the police, but can be claimed against all forms of physical, legal and moral compulsions which may be used for forcing a man to convict himself. The corresponding provision in the Indian constitution is contained in clause 3, Article 20. The Orissa High Court held in *Bhaluka Behera v. The State* that the direction of the magistrate to take the thumb impression of the accused was compelled testimony offending the guarantee of the constitution of India under clause 3, Article 20.<sup>34</sup>

(V) *Protection against cruel treatment*: Article 5 of the Universal Declaration of Human Rights states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Clause 5 of Article 35 of the constitution of Bangladesh conveys and postulates the same right of individuals. This view has also been reaffirmed by the U.S Supreme Court. In 1958 in *Trop v. Dulles* the Court declared unconstitutional an act of Congress depriving a wartime deserter from the Armed Forces of citizenship, saying this was cruel and unusual punishment.<sup>35</sup>

#### 8. Freedom of Movement and Residence

Freedom of movement and residence is the very essence of a free society. In Great Britain this right is assured under common law of the country. Article 36 of the constitution of Bangladesh states that every citizen shall have the right to move freely throughout Bangladesh, to reside and settle in any place therein and to leave and re-enter Bangladesh. Neither in the constitutions of 1956 and 1962 of Pakistan nor in the constitutions of India rights to leave and return to the country exist in the provision of movement.

But in Bangladesh the right to movement and residence has not been made absolute—it is subject to any reasonable restrictions imposed by law

and with procedures that contravene established international norms for a fair trial, can not be considered competent, independent and impartial as required under the International Covenant on Civil and Political Rights. For details see "Human Rights in the World (Bangladesh)", *The Review, International Commission of Jurists*, No. 30 (Geneva: ICJ, July 1983), p. 5.

<sup>34</sup>V.G. Ramachandran, Vol. II, *Op. cit.*, p. 120.

<sup>35</sup>Ferguson and McHenry, *The American System of Government* (New York. McGraw-Hill Book Co., 1963), p. 139.



in the public interest. The right of free movement is denied in case of protected areas. Here the case of *Mostafa Ansari v. District Commissioner* may be relevant. In considering whether Rule 51 of the Chittagong Hill Tracts Regulations, 1900 which enables the D.C. to put restriction on the freedom of movement of a person if he is satisfied that the latter's presence in the district is injurious to peace, the Dacca High Court expressed that the restrictions failed to satisfy the test of reasonableness.<sup>36</sup>

#### 9. Freedom of Assembly

Freedom of Assembly has been one of the attributes of citizenship under a free government. The First Amendment to the U.S. constitution and Article 50 of the constitution of U.S.S.R. guarantee freedom of assembly of persons. Article 37 of the constitution of Bangladesh says that every citizen shall have the right to assemble and to participate in public meetings and processions peacefully and without arms. Section 144 of Bangladesh Penal Code lays down a greater punishment for the individual who joins an unlawful assembly with deadly weapons of offence.

It is also provided in the constitution that reasonable restrictions on the freedom of assembly may be imposed by law in the interest of public order or public health. The case of *Oali Ahad v. Government of Bangladesh* seems to be relevant here. The Dacca High Court held: "What is a reasonable restriction shall depend upon the facts and circumstances of each case. No hard and fast rule nor any absolute or fixed standard can be prescribed for determining the reasonableness of the restriction enjoined by the constitution. It must however be an objective standard which, in a given circumstances, an average prudent man will employ."<sup>37</sup>

#### 10. Freedom of Association

For the maintenance of political liberty the right of association is as important as the right of assembly. Freedom of association is an element of the common law of Britain. Article 38 of the constitution of Bangladesh guarantees that every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of morality or public order.

In Bangladesh the right to form association includes the right to organise companies under the Companies Act, 1913, partnerships under the Partnership Act, 1932, and trade unions under the Industrial Relations Ordinance, 1969.

An illegal closure of an association is also covered by this paragraph (under Art. 38). Here the case of *Dacca National Medical Institute v.*

<sup>36</sup>A. Munim, *Op. cit.*, pp. 161-62.

<sup>37</sup>26 DLR (1974) 387.



*Province of E.P.* may be discussed. The order of the government closing down the Medical Institute was quashed as it had interfered with the fundamental right of citizen to form an association.<sup>38</sup>

#### 11. Freedom of Thought, Conscience and Religion

The right of following one's own religious faith and worship has come to be gradually recognised by modern states. Article 18 of the Universal Declaration of Human Rights says that everyone has the right to freedom of thought, conscience and religion. Article 39(I) of the constitution of Bangladesh guarantees freedom of thought and conscience. Article 41(I) provides that subject to law, public order and morality every citizen has the right to profess, practise or propagate any religion and every religious community or denomination has the right to establish, maintain and manage its religious institutions. It is provided in Article 41(2) that no person attending any educational institution shall be required to receive religious instruction, or to take part in or to attend any religious ceremony or worship, if that relates to a religion other than his own.

Dealing with the identical Article in the constitution of 1956 the Supreme Court in *Jibendra Kishore v. Province of E.P.* assumed that 'Wakfs' among Muslims and 'debutter' among Hindus were religious institutions and therefore, the provisions of the East Bengal State Acquisition and Tenancy Act, affecting these religious institutions infringed right to religion.<sup>39</sup>

#### 12. Freedom of Speech, Expression and Press

Freedom of speech and expression is the matrix and indispensable condition of nearly every other form of freedom. Clause 2, Article 39 of the constitution of Bangladesh guarantees the right of every citizen to freedom of speech and expression and freedom of the press. The exercise of this right provided in the constitution carries with it special responsibilities. Parliament can impose any reasonable restrictions in the interests of the security of the state, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.

In the case of *Hamidul Haq Chowdhury v. the Government of Bangladesh* the High Court held that the arbitrary government action which violates freedom of the press (with recognised limitations) and freedom of expression must be held as done without lawful authority.<sup>40</sup> In *Humayun*

<sup>38</sup>S. Sharifuddin Pirzada, *Op. cit.*, p. 244.

<sup>39</sup>M.A. Munim, *Op. cit.*, p. 243.

<sup>40</sup>34 DLR (1982) 193.



*Kabir v. the State* the Court held that legitimate criticism of the policy pursued by the ruling party had nothing to do with the public order.<sup>41</sup>

### 13. Freedom of Profession or Occupation

Harold J. Laski points out that man is born into a world where, if rationally organised, he can live only by the sweat of his brow.<sup>42</sup> Art. 40 of the U.S.S.R. constitution provides that citizens have the right to work including the right to choose their trade or profession, type of job and work in accordance with their inclinations, abilities, training and education. Article 40 of the constitution of Bangladesh says that every citizen shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business.

Necessary qualifications may, however, be prescribed by the Parliament for entry into such profession, occupation, trade or business and it may impose "any restrictions" on this right. The phrase "reasonable" qualifying the expression "restrictions" used in respect of other rights has been omitted here. This seems to produce a disabling effect on the power of the court to intervene, if necessary.

In Bangladesh freedom of trade or profession may be regulated by the licensing system. The Supreme Court of Pakistan in *East and West Steamship Co. v. Pakistan* upheld this power of the government.<sup>43</sup>

### 14. Right to Property

Blackstone mentions the right to property as one of the three absolute rights inherent in every Englishmen.<sup>44</sup> The Appellate Division of the Supreme Court of Bangladesh observes in *Muhammed Ali v. Burma Eastern* that property comes only next to right to life and liberty.<sup>45</sup>

In the first part of clause I, Art. 42 of the constitution of Bangladesh it is provided that every citizen has the right to acquire, hold, transfer or otherwise dispose of property and the right declared therein may be "subject to any restrictions" imposed by law. Here again the phrase "reasonable" before the expression "restrictions" has been omitted. It seems to increase the power of the state to limit the right to property of individuals. The second part of the clause deals with the extinction or near extinction of one's right to

<sup>41</sup>28 DLR (1976) 272.

<sup>42</sup>H.J. Laski, *A Grammar of Politics* (London: George Allen & Unwin Ltd., 1967), p. 106.

<sup>43</sup>S. Sharifuddin Pirzada, *Op. cit.*, p. 265.

<sup>44</sup>*Ibid.*, p. 340.

<sup>45</sup>38 DLR (AD) (1986) 41.



property in consequence of compulsory acquisition, or nationalisation or requisition as may be provided for, by law. 'Public purpose' has not been made a condition for acquisition or requisition by the state.

Clause 2 of Article 42 lays down that an Act shall provide for the acquisition, nationalisation or requisition with compensation and shall fix the amount or specify the principle and the manner of assessment and payment of compensation. It also prohibits the court to question that any provision in respect of such compensation is inadequate. But the Courts of both U.S.A and Australia in both the countries have held that the determination of "just" compensation is a matter for the Courts and not for the Legislature or the Executive.

Further, Article 47(1) of the constitution of Bangladesh stipulates that Acts relating to certain matters<sup>46</sup> shall not be void (in the court) on the ground that it is inconsistent with any of the rights guaranteed by part III, if Parliament declares that such provision is to give effect to any fundamental principles of state policy. This part emphasised (or emphasises) the future social and economic reforms. A large number of laws specified<sup>47</sup> in the First Schedule can not be challenged in the court. Clause 2, Art. 47 stipulates that inspite of what has been contained in the constitution, the laws specified in the First Schedule shall have validity. And neither such laws nor anything done or omitted to be done under them shall be deemed void or unlawful on the ground of inconsistency with or repugnance to any provision of the constitution. Most of these laws are related to property. Hence, the right to property is considered to be not only the most controversial, but also the weakest of all the rights guaranteed by the constitution.<sup>47</sup>

## 15. Protection of Home and Correspondence

In Britain a Common law doctrine is that a man's house is his castle. Article 12 of the Universal Declaration of Human Rights proclaims that no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence. This guarantee is also written into own constitution. Article 43 states that everyone is secure in his home against entry, search and seizure; and privacy of correspondence and other means of communication is also guaranteed. This right was not secured under the constitution of 1956 and 1962. The rights under Art. 43 are, however, sub-

<sup>46</sup>Article 47(1) (a) (b) (c) (d) (e) (f).

<sup>47</sup>Moudud Ahmed, *Bangladesh: Era of Sheikh Mujibur Rahman* (Dhaka: The University Press Ltd., 1984), p. 99; *Kazi Mokattar Hossain v. Bangladesh*, 31 DLR (AD) (1979) 64.



ject to any reasonable restrictions imposed by law in the interests of the security of the state, public order, public morality or public health.

Sections 102 and 103, 165 and 166 of the Code of Criminal Procedure contain the law relating to searches. Provisions of rule 280 of the Police Regulations, Bengal, 1943, if followed, would secure the sanctity of home and dignity of the individuals.<sup>48</sup>

## 16. Paramountcy of Fundamental Rights

Following the Japanese model<sup>49</sup> clause 1, Article 26 of the constitution of Bangladesh specifies that all existing law inconsistent with the provisions of Fundamental Rights vouchsafed in Part III shall be void to the extent of such inconsistency. The next clause postulates that the state shall not make any law inconsistent with any provisions conferred by Part III and if the state does enact such law, it will be void to the extent of such inconsistency. It should be noted that the inconsistent portion of the Act which contravenes the constitution is alone void or *ultra vires*. The Act need not be *ultra vires* in its entirety though bad in part. But where it is not severable from the rest the whole statute becomes invalid.<sup>50</sup>

## 17. Right to Constitutional Remedies

In all constitutions fundamental rights are given protection by direct resort to the court. Article 26 of the constitution of Bangladesh embodies the principle of judicial review. The court is empowered to declare those provisions of the impugned law invalid which are repugnant to the fundamental rights.

The Supreme Court had a mauling experience restricting its role as the upholder and dispenser of fundamental rights.<sup>51</sup> The Fourth Amendment repeated Article 44 of the constitution and inserted that "Parliament may by law establish a constitutional court, tribunal or commission for enforcement of the rights conferred by this Part" (III). The complexion of Article 102 was also changed. The guarantee that was given in Article 44 for the enforcement of the fundamental rights (mentioned in Part III) by the machinery provided under Article 102 was taken away.<sup>52</sup> Those two provisions (under Article 44 and Art. 102) in its original character and colour have

<sup>48</sup>*Panchu alias Paigam Ali v. The State*, 26 DLR (1974) 297-303.

<sup>49</sup>*Constitution of Japan*, Article XCVII.

<sup>50</sup>V.G. Ramachandran, Vol. I, *Op. cit.*, p. 147; see also S. Sharifuddin Pirzada, *Op. cit.*, p. 157.

<sup>51</sup>*The Supreme Court and the Judges* (editorial), 36 DLR (1984) 5-7.

<sup>52</sup>*Hazi Joynal Abedin v. State*, 30 DLR (1978) 391-93; 22 April 1978, *Bangladesh Times*.



been reconferred by Second Proclamation (Seventh Amendment) Order which was reiterated by the Second Proclamation (Tenth Amendment) Order.

Therefore, clause I, Article 44 of the constitution guarantees to every person to move the High Court Division of the Supreme Court for the enforcement of fundamental rights. And for that purpose clause I, Article 102 has given the High Court the power to issue directions or orders or writs. Clause 2, Article 44 also provides that without prejudice to the power of the High Court under Article 102, an Act of the Parliament may empower any other court, within the local limits of its jurisdiction to exercise all or any of those powers.

### **Conclusion**

The foregoing discussion shows the nature and extent of fundamental rights as it exist in the constitution of Bangladesh. Life, liberty and the pursuit of happiness, the foundation stone of every democratic society, can be safeguarded through the exercise of the constitutionally guaranteed rights. But the people of Bangladesh are still denied to a great extent the basic human rights. For the most part after independence they have been ruled by arbitrary decrees and regulations and without the right to be heard in violation of legal norms and universally accepted conventions. But the vast and overwhelming majority of people of Bangladesh have always fought to realise a society free from exploitation, fear and want. And the Courts have always insisted on rendering a right— protective service. Rights of citizens guaranteed by the constitution must of necessity be upheld. Its adverse effect will lead to a loss of confidence in the government. It is expected that the spirit of fundamental rights will always remain the eternal flame in the minds of those who profess to be champions of liberty, freedom and human rights.







# Glazed Tile Decoration of Chamkatti Mosque: An Analysis and Some Observations\*

Mokhlesur Rahman

*Chamkatti* Mosque (Fig. 1) is one of the monuments erected during the period that witnessed the restoration of Ilyas Shahi rule after the

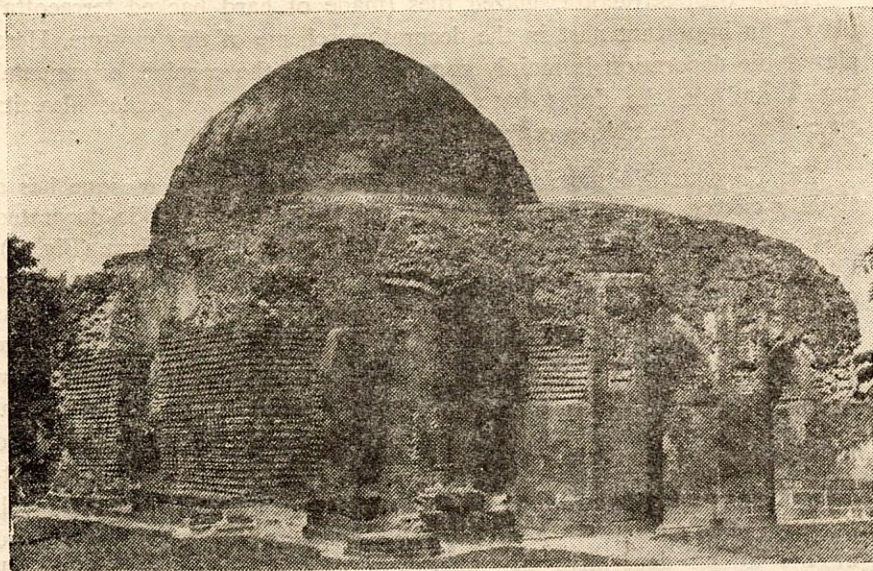


Fig. 1. Gaur: *Chamkatti* Mosque. General view from south-east.

temporary eclipse that it had suffered at the hands of the House of Raja Ganesha. It stands on the western side of the modern Malda—Mahdipur road and a little east of Lukochuri Gate which forms eastern

\*The article is based on the author's own experience and notes taken during his visit to the monument in November, 1985.



entrance to the citadel of Gaur. The very name of the mosque suggests that it was probably built by a certain *Chamkatti* class of Muslims whose descendants are still found in Chalispara near old Malda. These were 'devotees who being imbued with religious frenzy used to gash themselves with sharp knives' and were therefore called *Chamkatti* or the skin-cutters.<sup>1</sup> The date of the erection of this mosque is not definitely known. But according to an inscription dated A.H. 880, Cunningham ascribes its erection to the year 1475 A.D.<sup>2</sup>

The mosque is a brick built one. But its interior shows stone facings, especially at the lower courses. It consists of a single square room (23' x 8" a side) with a large vaulted verandah on the east. At all angles are octagonal towers. Three door ways on the eastern side lead to the interior prayer chamber. Besides this, there are two additional door ways on the north and south of the vaulted verandah. The building is crowned by a dome.

Along with terracotta, glazed tiles (made of hard backed terracotta) played an important part in the decorative scheme of this mosque. Here glazed tile decoration is mainly concentrated on the cornice, ornamental panels and on the dome base in the interior. For an exact idea its spacewise tile decoration may be described as follows :

*The Cornice.* Maintaining the tradition set earlier, this mosque has a slightly curved cornice running all around the building. It is decorated with three ornamental bands separated by raised mouldings (Fig. 2). Of the three decorative tiers, the upper one is decorated with square (about 6" a side) glazed tiles depicting in low relief floral patterns placed very artistically within coiling scrolls. The yellow petals emerge from a green orb within which is again placed another small yellow circle. The background is greenish-blue. Though stylized, these floral patterns with yellow petals can roughly be identified with mustered flowers. The tile decoration of the middle tier is very simple but attractive. It is composed of *jali* pattern in relief and is made of small moulded pieces of white tiles set against greenish-blue ground. The third or the lowest decorative tier of the cornice is decorated with small ornamental arches fitted with rectangular tiles set vertically. In most cases the motifs found on these tiles are mostly floral and geometrical. Variations are also there and on some are found raised chequered patterns in light blue and white. Again on some can be detected indigeneous trees (e.g. banana and date palm) and flowers all depicted in

<sup>1</sup>Abid Ali Khan, *Memoirs of Gaur and Panduah* (Calcutta, 1931), p. 69.

<sup>2</sup>*Archaeological Survey of India Reports, Vol. XV*, pp. 60-61.



green against white and yeallow ground. Representations on these tiles some times bear distinct touch of naturalism and thus may be interpreted as a modest attempt to depict the surrounding greenary. These

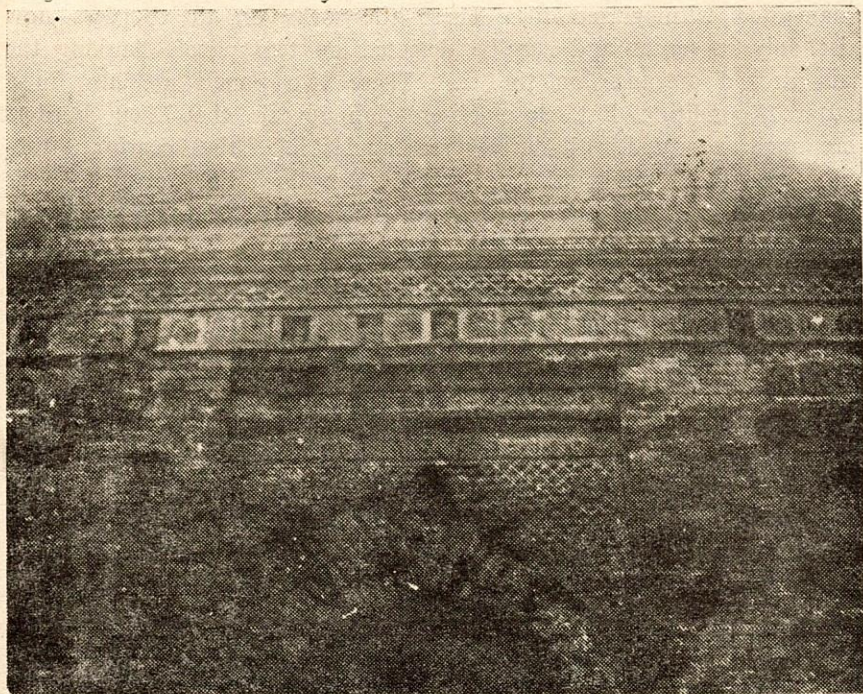


Fig. 2. Gaur: *Chamkatti* Mosque. A portion of the northern facade showing the glazed tile decoration on the curved cornice.

tiles are set within frames made of narrow rectangular tiles (about 2" x 6") depicting floral scrolls in white and yellow against greenish-blue ground.<sup>3</sup> To introduce variety, while some of these narrow rectangular tiles bear floral scrolls in green depicted against white ground, others have small white four pointed stars depicted against light yellow ground.

The faces of the mouldings separating the ornamental tiers of the curved cornice are also decorated with narrow rectangular tiles bearing floral patterns in green depicted against white ground; the whole pattern is then enclosed within two narrow borders painted in white. Underneath the moulding there runs a projected row of segmented beads glazed in white, blue and yellow.

<sup>3</sup>Several tiles of this variety are preserved in Varendra Research Museum, Rajshahi,



*The Ornamental Panels.* Between the door ways on the eastern facade are found projected ornamental panels set at the level of the arch shoulders. While the field of the panels are decorated with terracotta chain-and-floreate motif, the borders of the panels were once nicely ornamented with glazed tiles. These tile-works on the borders now exist only in traces and can be detected on two panels flanking the main arched entrance on the east. These two panels are also in a shattered condition. But close observation reveals that their borders were once decorated with narrow rectangular relief tiles bearing within coiling scrolls floral motifs in green and yellow. But owing to wear and tear of centuries the glazes have now badly faded away leaving only the bare traces.

*The interior.* It is interesting to note that in this monument glazed tile decoration has found its way to decorate the interior. The base of the dome (Fig. 3) is decorated with merlon shaped yellow tiles with dark blue borders. Below these are set a row of rectangular glazed tiles depicting geometric designs in green against yellow background. Then comes a moulding composed of projected and shaped bricks the soffits and faces of which are glazed respectively in white and light blue. Below this moulding runs a row of glazed tiles with geometric designs in green depicted against yellow ground. In the lowest part of the frieze decorating the dome base is a band of *jali* work composed of moulded fragments of white tiles set against dark blue ground. The triangular spaces between the arches supporting the dome base are each embossed with a large tiered rosette composed of white and dark blue tiles. The arches carrying the dome are bordered with narrow tiles. In between narrow white borders these narrow border tiles depict floral motifs in white on dark blue ground. The ornamental effect of the borders decorating the faces of the arches has been further enhanced with the addition of a row of segmented beads glazed in white and yellow and set against light blue ground. At present the *mihrāb* niche is badly damaged; but it is not unlikely that the rows of ornamental merlons surmounting the *mihrāb* panel were once faced with glazed tiles of different colours.

As a product of the 'classical phase' of the Muslim architecture in Bengal, the ornamental scheme of this small mosque can easily invite the attention of the art historians. In Bengal this is probably the monument where we find for the first time the use glazed tiles for interior decoration. With its balanced and soothing colour decoration this small mosque has nicely avoided the over effect of the riot of colours as displayed by the glazed tile decoration of Lattan Mosque of the



early sixteenth century. Moreover, here in this mosque the happy co-existence of terracotta and glazed tiles reflect not only the spirit of the time but at the same time sets a decorative style (i.e. the simultaneous

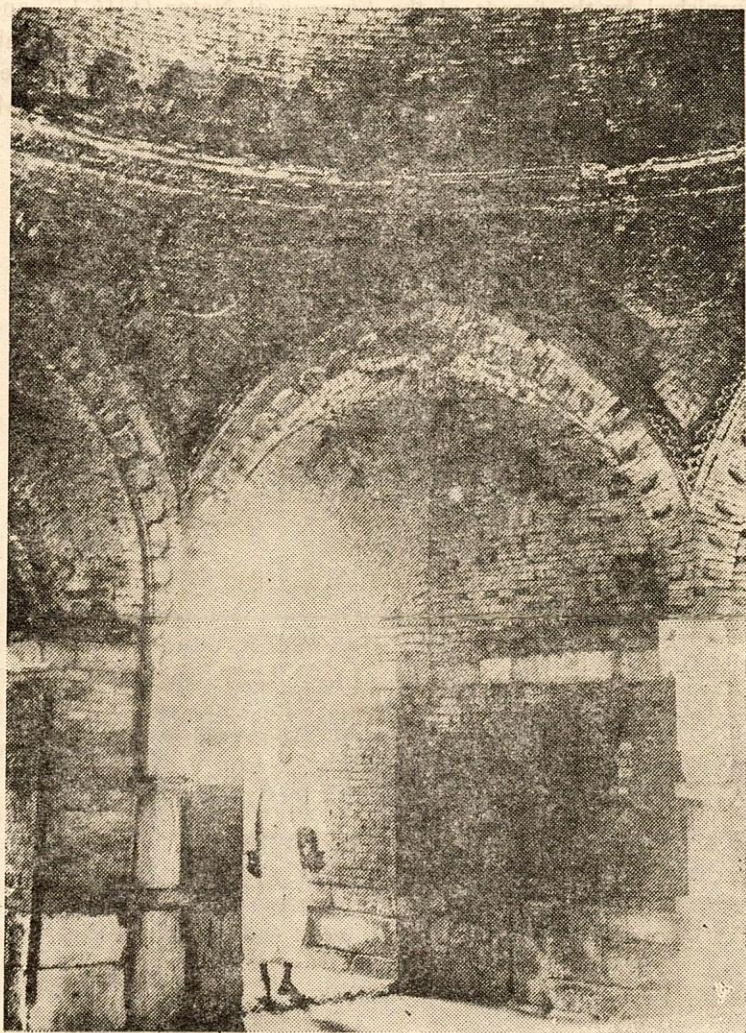


Fig. 3. Gaur: *Chamkatti* Mosque. Interior view showing glazed tile decoration.

use of terracotta and glazed tiles) which was subsequently used in a number of monuments like *Firuz Minar* (1486-89), *Lattan Mosque*, *Gumti Gate* (1572) and *Gummant Mosque* (16th century). Although the



combination of these two decorative modes is quite new in Bengal, it points to a link with an earlier decorative method prevailing outside India. The combined use of glazed tiles and terracotta was quite known to the contemporary Persian architecture the beautiful examples of which are furnished by the facade of the *Khangah* at Natanz (1316-17) and the *Jami Masjid* of Yazd (mid 14th century). This indicates not only the Persian influence on the Muslim architecture of Bengal, but at the same time points, even in the midst of Bengali environment, the Muslim rulers' deep emotional and cultural attachment for their Central Asian heritage.



# The Linguistic Diversities of the Tribesmen of Chittagong Hill Tracts: Continuity, Change and Amalgamation\*

A.H.M Zehadul Karim

## I

### Introduction

While most of Bangladesh is ethnolinguistically homogenous, there are at least eighteen non-Bengali speaking tribes scattered over its different regions. In 1981 the 633,216 members of these tribes made up only 0.7% of the total population (see Maloney 1984:9). The great majority of the tribal population (403723)<sup>1</sup> lives in a region called "Chittagong Hill Tracts"<sup>2</sup> (henceforth often referred to as CHT). Bernot (1957), Bassaignet (1958) and Satter (1971, 1975) have each written on

\*An earlier version of this paper was read by Dr. Tej K. Bhatia, Director of Linguistic Studies, Syracuse University, USA. I am grateful to him for his suggestions.

<sup>1</sup>Census Reports of 1961, 1974 and 1981 do not provide any breakdown of the CHT population. However, Clarence Maloney (1984) in his work *Tribes of Bangladesh and Synthesis of Bengali Culture* provided statistics on all the tribal people of Bangladesh. Based on Maloney's, I give the following numbers for each of the CHT group: (1) Bonjogee, about a thousand, (2) Chakma @ 220,000, (3) Magh @ 130,000, (4) Pankhu, more than a thousand, (5) Tanchangya, numbering about 12,000, (6) the number of Kuki is estimated as 2000, as of 1951, (7) regarding Lushai, there is no exact information. However, according to 1951 census the number of Lushai is 1369 (see Bassaignet 1958). But it is suspected that their number is much higher now (see Maloney 1984; Zaman 1984), (8) Khami @ 15,000 as reported in 1901. But their number is much less now, (9) Khyan @ 500, (10) Tipras @ 47,000, (11) Morung, about a thousand, (12) Rieng, about a thousand.

<sup>2</sup>The CHT region of Bangladesh comprises a strip of 5093 square miles bordering Burma and India. It is adjacent to the Chittagong Region of Bangladesh. Geogra-



the CHT. These works contain a wealth of descriptive information and set the stage for more recent works on aspects of ethnic conflict, national integration and on transitional features of tribal peasants (Jahangir 1979; Bertocci 1984; Zaman 1984). However, they say little about socio-linguistics. The only source material for a linguistic account of the sub-continent is Grierson's monumental work *Linguistic Survey of India* (1903). Grierson emphasized descriptive linguistics in general rather than treating the CHT language from socio-linguistic perspective per se. Given this paucity of published research, this paper focuses on the socio-linguistic aspects and diversities of the CHT tribes and traces their lingua-dialectic changes in the past century. The paper specifically deals with inter-tribal language borrowing and language mixing of the CHT groups as well as the territorial spirantization effect of the Bengali language on some of these groups. The paper concludes by making a policy recommendation for linguistic planning for the CHT tribes.

## II

### **The CHT Tribes and their Linguistic Diversities: Continuity, Change and Amalgamation**

There are twelve ethnic groups in the CHT region. Linguistically, the majority of these, the Bonjogee; Chakma; Magh; Pankhu; Tan-changya; Kuki; Lushai; Khami and Khyan belong to the Kuki-Chin sub-family of the Tibeto-Burmese language. The remainder, the Tipra, Morung, and Rieng come from the Bodo sub-linguistic group (see Grierson 1903; Sakthivel 1976; Maloney 1984). The Chakma no longer speak a Kuki-Chin language, but their ancestors certainly did.

Although little is known of the history of the Chakma language, it is presumed that the written form of ancient Chakma was quite close to Burmese (see Bassaignet 1958). Lewin, however, characterized

phically, the tribal districts (Rangamati, Bandarban and Ramgarh) can be divided into two ecological zones—the hills or mountain valleys, and the agricultural plains, situated in humid terrain. In addition to the administrative division, the whole region is again grouped into three "circles" the "Chakma", "Mong" and "Bomomg" under the ruling authority of three tribal chiefs. The powers of the three chiefs (rajahs), however, cross-cut their jurisdiction, and include people from several tribes of the region. In 1964, the Government of Pakistan abolished the special status of CHT, and integrated the region into the legal, political and administrative system of East Pakistan (present Bangladesh), retaining however, "the traditional dyarchic governing structure and reinstituting, in 1967, legal protections aimed at preserving traditional 'tribal' social structure and pre-eminence of the chiefs in matters of legal and political control" (Bertocci 1984). A system of dual administration is thus maintained in CHT, making it peculiar to the country.



it as "a rude adaptation of the Arakanese alphabet" (1869:66). Sopher (1964) believes that the Chakmas in fact were ancestrally related to the Tipras and only later became Arakanized.

Presently, the Chakma's language is an aberrant form of the Chittagonian local Bengali dialect, which according to Maloney, may be "classified as a separate language of Indo-Aryan origin" (1984:10). Maniruzzaman, on the other hand, comments that the "language family to which the Chakma belongs has not been ascertained. Sometimes it is grouped under Tibeto-Burmese and sometimes it is grouped under Indo-European" (1984:74).<sup>3</sup>

The genetic view gives a linguistic hypothesis which differs sharply from others, proposing that the origin and development of the Chakma language is distinct from Bengali. The Chakma proponents of this view (see Chakma 1974) try to prove their hypothesis by showing the phonetic similarities between Chakma and Bihari group of languages. They contend that Chakma sprang from the NIA<sup>4</sup> (eastern) group of languages and thus is closely related to the western Magadhan languages through the Assamese. This view of the Chakma language is probably the politically motivated result of an attempt to show that Chakma is a language distinct from Bengali.

Grierson (1903) however, strongly affirms that Chakma is a broken dialect of Bengali. It is spoken in the central portion of the CHT, in the Chakma chief's circle, and around the peripheral zone of Karnafully River. At present "it has undergone so much transformation that it is almost worthy of the identity of being classified as a separate language" (Grierson 1903, vol. III, part II:321).

Varma clearly states that the Chakma is based on southeastern Bengali (1973, part II:562). A careful examination of Grierson's data on Chakma words and syntax show that Chakma is closer to the Southeastern Bengali dialect. This conclusion is arrived at by observing the standard list of Chakma words and syntax with their corresponding southeastern and eastern transliteration shown in Table 1 below. It is evident from this listing that the Chakma use the word "tui" to denote the English word "you" is virtually identical to the southeastern and eastern Bengali words.

In each of the four sentences in Table 1, either one or more Chakma words have some striking pronominal similarity with the eastern pronunciation. However, the inner complexities and grammatical closeness

<sup>3</sup>For a critical discussion on Chakma phonology, see Maniruzzaman 1984.

<sup>4</sup>NIA means New Indo-Aryans.



of the languages require more research. I urge the linguists to consider this field for further investigation.

TABLE 1

The Standard List of Chakma Words and Syntax with their Corresponding English Translation and Southeastern and Eastern (Sylhet, Kachar and Bakerganj) transliteration.

English	Chakma	Southeastern Bengali	Eastern Bengali (Bakerganj)	Eastern Bengali (Sylhet and Kachar)
I am beaten	more mārjyan	āyare mairge	mui māir khai	mui māir khaiso
You go	tu jar	tui zā	tui za	tui zasas
They go	tārā jeyan	tārā zayē	herā zay	tārā zāy
What is your name?	tu nām ki	tor nam ki	tor nam ki	tar nam kita

Source: Assimilated and rearranged from Grierson 1903, Vol. V, Part 1.

The Magh's language is a dialect of the Burmese, and is written with Burmese script. Their present dialect is known as *Mughī*. As the Maghs are clearly Arakanese, their dialect is of Arakanese origin. As Hall puts it, "The Magh's language is Burmese with some dialectal differences and an older form of provincialism, especially noticeable in their retention of the 'r' sound which the Burmese have changed to 'y'" (1955:328). However, some Maghs who have settled in certain parts of Chittagong Region (e.g., Patharghata, Momin Road, Buddhist Temple Street) speak a local Chittagong dialect of the Bengali language. They have been so acculturated and their children go to the same school as Bengali children.

The Tipras belong to the group of Bodo or Bara speakers, an offshoot of the Tibeto-Burman family of the Mongoloid race, living in the hills and mountainous regions of the Patkoi range (see Grierson 1903, vol. III, part III). The Tipras have their own language also known as *Hallami*. Hutchinson (1909) tells us that Hallami is the language of the Morungs and Kukis as well as the Tipras. There is evidence that Hallami is spoken by the immigrants of Hill Tippera who settled in Sylhet in Bangladesh, and belongs to the Kuki group (see Grierson 1903, vol. III, part II:109). However, there is no question that Tipra has a close connection with Bara. Anderson (1885) supplied a list of Tipra words with their Bara equivalents which shows the close relationship between the vocabularies of the two languages.



Table 2 gives eight examples chosen from Anderson (1885). These show a striking similarity between Tipra and Bara. Except for negligible

TABLE 2

The Comparative Vocabularies of Tipra and Bara with their Corresponding English Words

English	Tipra	Bara
God, spirit	matai	madai
heaven	nakha	nakha
wind	bar	bar
sunshine	shatung	san-dung
earth	ha	ha
river	toi-ma	dui-ma
stream	toi-sa	dui-sa
face	mukhang	mukhang

Source: Condensed and rearranged from Anderson's (1885) vocabulary list supplied to Grierson (see Grierson 1903, Vol. III, Part II, pp. 111-112).

differences in pronunciation, they are same. Bernot (1957) contradicts Anderson when he argues that the Tipra language is nearer to the Burmese. However, the comparative vocabulary list supplied by Phayre (1841) and Lewin (1869) do not support Bernot's statement. These lists seem quite different from Burmese. We believe that the Tipras have been considerably affected by Indian civilization. Many of them in Tripura (India) now speak Bengali (see Bassaignet 1958; Maloney 1984).

Phayre's (1841) *Account of Arakan* and Lewin's (1869) study of comparative vocabulary show a linguistic similarity between the Morungs and the Tipras. In Table 3, I have presented six words to give a comparative vocabulary of these groups. It is evident that, except for a slight difference in pronunciation, the vocabularies of both tribes are the same. For example, *nowba* and *nauba* are respectively used by the Tipras and the Morungs for the equivalent English word, "air". Similarly, the word "buffalo" corresponds to "mashi" for both the Tipra and the Morungs.

There are several languages spoken by the people living in the Lushai Hills. Besides various scattered Indo-Aryan vocabularies, there are languages belonging to the Kuki-Chin group. These include Zaha, Mhar, Lai, and Ralte. However, the principal language throughout the hills is Lushai or Dulien. Linguistically, the Lushai people belong to the Kuki-Chin sub-family of the Tibeto-Burman language. While Grierson was conducting his survey on the Lushai, the Deputy Commissioner of



TABLE 3

The Comparative Vocabularies of Five CHT Tribes with their Corresponding English and Burmese Words

English	Burmese	Tipra	Murung/ Moorung	Lushei	Bangjogi	Pankho
Air	ie	now-ba	nau-ba	hli	hli	hli
Bone	ayo	burrian	bak-re	har	aru	aro
Buffalo	khue	ma-shi	ma-shi	sillai	na	sullai
Cow	nwa	ma-tse	ma-chau	tsaw-pe	tsaw	tchaw-pe
Dog	khwe	tsoey	tchai	wi	wi	ui
Ear	na	kung-ju	kung-ju	beyng	na	na

Source: Rearranged and assimilated from Phayre (1841), Lewin (1869), and Ishaq (1971).

the Lashaki Hills told him, "this dialect of the Khuki-Lushai group is the *lingua franca* of all the tribes of the North Lushai Hills District, as I believe it is of all the tribes of the South Lushai Hills, being understood by all. It is the language of the Sailau (Syloo) clan ..." (as quoted in Grierson Vol. III, Part III, p. 129). But the Lushai people as reported by Lungleh (see Shakespear 1898 quoted in Grierson Ibid: 129), speak other languages as well. Some of these appear to differ so greatly from Lushai as to be hardly entitled to be called dialects of it. While Shakespear (1898) does not indicate why such a break-up occurred, I would suspect that there are two reasons for it. First, an ethnically and linguistically diverse migration (as evidenced in Grierson 1903) to the hills occurred in the past, pushing some Lushai forward. In such a case of "language mixing" the "dominant language" (see Trudgill 1983) would have the advantage. Second, the Lushai live in villages, where they have every chance to be acculturated.

Davis (quoted in Grierson 1903, Vol. III, Part III) remarked that the Lushai language bears a close resemblance to Rangkhoh, which was replaced in the Lushai hills by Thados prior to the arrival of the Lushai in that territory. According to the same authority, Lushai is also connected with Naga and Manipuri languages and is much closer to the former than the later (Davis 1894). Lushai has a close affinity with the Pankhu and Bonjogee languages in the CHT. Phayre (1841), Lewin (1869), and Ishaq (1971) support this statement. I have picked six words to show the conformity and distinction of the Lushai, Bonjogee, and Pankhu vocabularies. Table 3 shows that Lushai, Bonjogee, and Pankhu use 'hli' for the English word "air". Similarly, there is little or no difference between the two languages in the pronunciation of the words for bone, buffalo, cow, dog, and ear.



In the past, the Lushai language was unwritten, although there are several tales and songs that have endured. Recently, the Christian influence has become so strong among the Lushai that they have transcribed their language into Roman characters. Now, the Lushai have a written grammar and dictionaries for their language. Moreover, Lushai boys and girls now learn Bengali in their local schools. This eventually helps them gain admission to institutions of higher education where they study side by side with their Bengali peers. Perhaps for this reason, the Lushai are educationally and culturally more advanced than many other CHT tribes.

The Kuki language, as Lewin (1869) indicated, is the same as that of the Lushai. This view was also held by Levi-Strauss who found the Kuki linguistically and culturally similar to the Lushai. Ishaq (1971), however, pointed out that the Kuki language is an intermixture of various CHT languages. The basis for such diametrically opposing views is that Kuki use Assamese and Bengali terms that have popularly been applied to various hill tribes, such as the Lushais, Rankhols, Thados, etc. McRae (quoted in Grierson 1903, Vol. III, Part III) on the other hand, attributed the linguistic position of the Kukis to the fact that the Maghs and Kukis are believed to be descended from the same progenitor. This proposition will not bear much scrutiny. However, this much is certain: the Kuki-Chin language belongs to the Burmese branch of the Tibeto-Burman family. Levi-Strauss (1952) presents a short account of the CHT kinship system which includes Kuki terms which Shafer (1955) identified as either Pankhu or Banjogi. To add to the controversy, Abdus Satter (1975) in his *Arannya Jonopode* tells us that the Kuki do not allow any other languages and dialects to be mixed with their own. Satter adds that the Kuki are so conservative in their attitude that in conversation with a non-Kuki, they either speak their own language or express themselves through gestures and postures. Beyond these views, I do not have any further information, but it is known that until the 19th century, Kuki was a general term used for all the tribes of the CHT and surrounding areas.

The Pankhu and Bonjogee tribes as Hunter (1876) documented, descended from a common ancestor and show a great similarity in their languages, customs and habits. Lewin (1869) held this same view. He further observed a resemblance of these two languages to Lushei. The data in Table 3 confirms the similarity between the Pankhu and Bonjogee languages, but not their total similarity to Lushei.

The Khyan's language is similar to that of the southern Chin (see Grierson 1903, vol. III, part III), and currently contains a large



admixture of Marma and Bengali (see Maloney 1984). Houghton (as quoted in Grierson 1903) distinguished between the people of northern and southern Chin, but the languages he described were identical. Phayre (1841), on the other hand, remarks that there is some difference between the dialects spoken by the northern and southern tribes. Grierson (1903, vol. III, part III:332) also affirmed that the Khyan spoken in the CHT is identical with the southern Chin, but might differ from the language of the northern part of Chin hills.

As for the other tribes, the Tanchangya seems to have been a branch of the Chakma, though they still retain their own language (see Maloney 1984). The Riangs are related to the Tipras and live in parts of CHT adjacent to Tipperah. Their language belongs to the Bodo subgroup of the Tibeto-Burman family (see Sakthivel 1976). The Khami, according to Phayre (1841) have two main divisions in their tribe the Khamis and the Kumis, which are also called Awa Kumi and Aphyia Kumi by the Arakanese. The Kamis and the Kumis which have been distinguished from a geographical viewpoint clearly correspond to the divisions cited by Phayre (1841). I would therefore, suspect that a peripheral spirantization effect has brought about a dialect difference in the Khami language.

### III

#### Concluding Remarks

Bonjogee, Chakma, Lushai, Khami, Khyan, Kuki, Magh, Morung, Pankhu, Riang, Tanchangya, and Tipra are tribes of the CHT. Linguistically, they belong to two sub-families the Kuki-Chin and Bodo groups of the Tibeto-Burmese family.

There has been a considerable amount of change and amalgamation in the CHT languages over the past centuries. Many tribes have either lost their original ancestral language or have modified and/or absorbed scripts and dialects from other languages. For example, the Chakmas were originally Kuki-Chin speakers, but presently they speak an aberrant form of the south-eastern Bengali dialect. Levi-Strauss (1952: 41-43) even found the Chakma kinship terms and marriage system fairly similar to the Bengali. The Maghs are clearly Arakanese but their language now contains an unmistakable Indian admixture. Their current dialect in CHT is known as *Mughi*, but many of them now speak Bengali. The Tipras, who speak a Tibet-Burman language, exhibit some traits of Bengali Hindu religion and worship Siva.

Two conclusions may be deduced from the foregoing discussions: first, the CHT tribes at present belong to different loosely constructed



tribal ethnolinguistic groups. None constitutes a unilineal unit by itself. Rather, they share diversified lingua-cultural traits and in some measure have borrowed much from the neighboring non-tribal population.

Second, such lingua-cultural acculturation may be the result of the peripheral spirantization effect of Bengali culture or what may be called social and geographic pressures of the eastern Bengali dialect, which they also use in inter-tribal speaking. This, however, is not a recent phenomenon. Grierson in his *Linguistic Survey of India* (1903), observed that "over the greater part of the CHT, south-eastern Bengali is used as a kind of lingua franca, in addition to many Tibeto-Burman languages current in that area" (1903, vol. V, part I:321).

In my discussion, I have clearly shown a pronominal identity of the Chakma language with eastern Bengali pronunciation. Also it has been documented that Hallami is not only the language of the Tipras; the Morungs and the Kukis also speak it. It has been noted too, that Lushai is understood and often spoken by three CHT ethnic groups, the Pankhu, Bonjogee, and Lushai, although each one of them claims to have their own independent dialect. Among other tribes, the Tanchangya has also been speaking Chakma, while the Khyans have long borrowed from the Maghs. It seems true, therefore, that some of the smaller linguistic groups of Chittagong Hill Tracts have been losing their dialects and, instead, are borrowing and absorbing dialects and speech from larger groups. Four of these groups, the Chakma, Lushai, Magh and Tipra who are numerically comprise the bulk of the population, have their own written languages which influence the other groups. I would suggest, therefore, that provisions for the use of atleast these major languages at a wider national level would preserve the political integrity and cultural identity of the tribal people. However, in order to formulate such a policy and put it into effect, the tribal people must be both consulted and involved in implementation. Nothing can be done without their active participation.



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## Perspectives on Administration, and Supervision in Social Welfare

A.K. Ahmadullah

As the title suggests the main theme of my paper is a discussion on the perspectives of social administration as a crucially important component of social welfare/social work, in the educational part of which I have been involved as a teacher since mid-1959. I shall attempt to discuss the topic in the context of administration of welfare services in Bangladesh at the present time and in so doing I shall of course, highlight the importance of social administration as one of the auxiliary methods of social work which enables a social worker to enhance his capacities in the dispensation of welfare services to benefit the clientele in such a way that the service delivery becomes highly satisfying and meaningful both to the beneficiaries and to the social worker himself. It must be emphasised that the effectiveness of social agency administration and the quality of welfare services go hand in hand.

Before going into the discussion of the main issue, I would like to preface the paper by offering definition of a few terminologies which often create confusion in our minds. The definitional question, I imagine, should be of special interest to those who do not belong to this rather new academic and professional discipline to which we owe our allegiance.

There are three closely related terminologies— Social Services, Social work and Social Welfare—that are almost inter-changably used in this country although these are distinctively different from each other. There are two other terms, Social Services Administration and Social Development, which also connote the same academic and professional discipline as the three mentioned above. Of the five, I shall confine myself to defining the first three.



Specially in view of the fact that the nomenclature of the Government Department concerned has been changed from "Social Welfare" to "Social Services", I would like to define the three terms as follows:

*Social Services* refer to the provisions that are made available by governmental and/or voluntary efforts to meet those problems which the people themselves can not provide unaided. In the provision of such services priority is given to the needs of the disadvantaged groups and the main thrust is to contribute towards human resources development. Such services are provided in the context of a community's needs and capacities for mobilization of resources. In the context of a developing country like Bangladesh, the target groups to benefit from such activities are those disadvantaged groups who fall outside the main stream of national development programmes. The main thrust, therefore, centres around socio-economic components with a focus on income generating activities with and by the participation of those who are both in need of these services and, as and when necessary, are motivated to avail themselves of such services. The ultimate goal is to bring about socio-economic development and gradual independence of those people so that they will have a sense of dignity and worth and will cease to look for charities for subsistence. Thus viewed, social services aim at significantly contributing to national development.

The above definition that I have attempted to formulate is certainly an operational definition and I have purposely made it comprehensive to highlight the point that despite the various other services provided by Government that appear to be similar to the services provided by the Department of Social Services, the latter services are of a distinctive character and require highly specialised skills and expertise on the part of professionals, the kind of which is absent in the domain of others. This is meant to dispel confusion which sometimes arises in the minds of those who are entrusted with the dispensation of services and of those for whom the services are organised.

In providing the definition of the other two terminologies, I shall be very brief.

By *Social Work* we mean a professional service which makes use of social-scientific knowledge, skills, techniques, methods and strategies to alleviate socio-economic, psychological and other problems of an individual, a group or a community which stand in the way of satisfaction of needs and aspirations of people.

*Social Welfare* refers to organised efforts aimed at bringing about well-being of a society in respect of individuals, families, groups and



communities with a focus on human development and progressive self-reliance and overall improvement in the quality of life through improved human relations approach.

To state it rather simply, we may say that the professionals we are referring to are concerned with providing *social services* of the appropriate kind as needed by people through effective and adequate use of *social work* methods, skills, techniques and strategies towards bringing about *social welfare* in a society in keeping with the hopes, aspirations and values of the people of a society for living a meaningful and dignified life.

I would now give a brief account of the development of social welfare services in our country to indicate some of the perspectives and dimensions of administration and supervision that shape the nature and quality of our welfare services.

Welfare services existed in our country since long. But these were in the form of charity and philanthropy. State endeavour, however, started in 1943 with the setting up of 4 state orphanages. The so-called modern type of welfare services based on scientific knowledge and techniques began in the fifties. A UN mission came in 1952-53 which recommended (a) training of social workers and (b) starting of a few projects. And so an humble beginning was made with the starting of a such project at Kayettuly under the Directorate of Health Services. Services and activities of this project proved very successful. Then a few more projects got under way at Gopibag, Mohammadpur and then at Lalbag. UCD projects were then started in some other district towns. While the UCD projects were expanding, the remedial and rehabilitative services also got under way.

In 1961, a Directorate of Social Welfare was established by merging together the then East Pakistan Council of Social Welfare (1956), orphanages and 2 vagrant homes (started under the Department of Relief in 1943). With the establishment of this Directorate on a small scale, social welfare programmes in various fields such as UCD, Medical Social Work, Correctional Services, Training and Rehabilitation of the Handicapped, etc. started developing. In the meantime, on the recommendation of Dr. John J.O. Moore in 1957, the College of Social Welfare and Research Centre was established in December 1958 and classes started in the first week of January 1959 which produced the first group of 11 MA's in Social Welfare in 1960. Subsequently College of Social Work started under Rajshahi University, too. Both these universities started Honours courses in addition to Master's Programme. The objective was that a solid base of social workers well equipped with the



needed knowledge, attitudes and skills required of a profession which was to be concerned with working with and through people must be laid which would be the key element for providing leadership role in initiating well-planned services most needed by some sections of people. Administration, monitoring, supervision and perhaps evaluation of the services were to be emphasized.

It was believed that social services of any nature, to be fully effective, must be understood and appreciated to a certain extent by those who use them. Further, if services are to have been professionalised, personnel required to man them must have sufficient knowledge, attitude and skills as well as appreciation of them. Social Welfare even in the initial phase was seen as a broad spectrum of organised conscious effort to meet human needs with a human and meaningful approach which would require leadership of programme planning and service delivery emphasizing method and quality of service. Such a service would obviously give due importance to welfare services structure with special emphasis on its administrative quality. In other words, emphasis must be given to efficiency and effectiveness in programming and implementation of service, that is, effective administration, monitoring, supervision and also periodic evaluation with a view to better program planning and better service delivery.

Going back to the historical development, it is to be noted that with implementation of development schemes covering various fields in the successive plan-periods, the Deptt. of Social Welfare, renamed in 1974 and now renamed as the Department of Social Services, has grown into a sizeable organization operating 25 programmes and services under three broad heads:

- (1) Community based projects
- (2) Institutional services
- (3) Specialised Social Case Work Services

The volume of work load of the Department over the years increased tremendously and the programmes and services taken care of by the department range from urban community development projects to rural development projects and Institutional Services for the socially and physically handicapped to highly specialized social case work services for the correction and rehabilitation of the offenders, maladjusted and delinquent children.

The programme of the Department of Social Services took firmer base over the years both in rural and urban areas of the country. The current functions of the Department may be grouped as follows:



1. To organise and run community development programme both in rural and urban areas.
2. To look after care, protection, education, training and rehabilitation of orphans and destitute children.
3. To run education, training and rehabilitation services for the physically handicapped persons.
4. To run programme for correction and rehabilitation of socially handicapped persons including juvenile delinquents and after-care of released prisoners.
5. To organise programmes for prevention of juvenile delinquency.
6. To take steps for controlling vagrants and rehabilitation of vagrants.
7. To run youth welfare activities (excluding youth hostels) and organise youth festivals and campwork etc.
8. To provide medical social work services.
9. To conduct survey and research and organise seminar etc. on social welfare and related matters.
10. To run activities of National Council of Social Welfare.
11. To register and control voluntary social welfare agencies, both local and foreign, and to provide grants-in-aid to voluntary social welfare agencies.

As an integral part of the on the job and refresher training to the officers and staff of the Department, there are one National Academy and two regional Social Services In-service Training Centres.

The question of the required qualification for entry post at the officer level has been all through a matter of willful unclarity, somewhat confusion and manipulation whether it should strictly be a degree (Honours or Master's) in Social Welfare/Social Work or not. As finally settled up officially as of today it is a Master's degree. This means, a Master's in any subject. This situation has been a matter of frustration on the part of social work professionals throughout the entire period of the growth and development of this specialised sector of professional activity in the crucially important spectrum of social development.

For getting an overview about perspectives on administration, supervision and evaluation, we should seek answers to the following questions:

Is social services administration efficient? Is it effective? Have we been able to implement social work values and the inherent professional



ethics? Are the services provided adequate and appropriate to meet, at least, the fundamental social welfare needs of the disadvantaged groups of people? Is there a systematic effort to extend coverage or to fill gaps in service in priority areas? Is there adequate co-ordination? Are the people concerned have an understanding about the needs and importance of our welfare services? Are the well-to-do section of the people motivated and imbued with a sense of social responsibility toward providing support to our welfare system? Does programming follow carefully thought-out planning in this section? Is there a declared social welfare policy and commitment on the part of the Government? Is professional supervision provided on a regular and systematic basis? Are there regular and effective procedures for evaluating the extent and quality of social welfare services? Are all the positions in Social Services Department that require professional knowledge, attitude and skills are manned by those who possess them? If there are deficiencies in knowledge, attitude and skills, how these are attempted to be compensated?

We shall attempt to comment briefly on some of these issues, which may provide a general perspective on social services administration. As to the other issues, we shall confine ourselves to only raising questions.

The state of administrative efficiency and effectiveness can be ascertained from the over-all answers to the questions that have been raised. If the state of affairs related to delivery of services goes the way it should go, then and then only we have an effective and efficient administration. If the purposes, objectives and targets that are set for a programme are clearly stated in a well-thought out perspective and we have the kind of administrative structure, practices and methods and there are right kind of personnel to implement the tasks that fall on them, if there are effective and efficient professional supervisory practices to be regularly carried out by qualified personnel and if there is the needed co-ordination within the Department itself as well as outside of it and, if there is both a strong commitment on the part of provider of service and a congenial administrative climate, then the end result is likely to be a good social service delivery system. Then and then only, the quality of service which is a crucial element in a delivery system of human services can be ensured and this is what a good social service administration aims at achieving.

About the adequacy of services, we may only say that, in the face of financial and personnel constraints and in the absence of a clearly defined and well-directed policy in the social services sector, we are



often expanding services more or less on ad-hoc considerations and, in so doing, we are only touching the fringe of problems and needs by trying to provide services in a certain area. In this way we can not go into the depth of a single field of service. There are enormous demands for services whereas our resources both in terms of quality personnel and financial as well as administrative resources we are not in a happy position; we are indeed in a precarious situation. Services are being expanded on a superficial level, i.e., quantitatively but not qualitatively.

Still sometimes there is duplication of efforts; similar kind of service is attempted to be provided by a Department of another Ministry. This means, wastage of our scanty resources. There are competitions between agencies, between Government Departments, duplication of programmes, and gaps between agencies. We loudly talk of a need for co-ordination but there is hardly any co-ordination even within the Department of Social Services, not to speak of co-ordination with other Departments and Ministries. In the light of this situation, administrators in Social Services must give considerable attention to what goes into better co-ordination and better planning of services. This will require new insights of inter-agency working relationships, new depths of understanding about several approaches, and, in some cases, merger of agencies and consolidation of services. Such insights are called for in order to bring about a better meeting of current needs and a more planned approach to the future development of services.

Administrators must take more responsibility for making critical evaluation of existing services. This will call for a sharper and clearer focusing of objectives, careful gathering of facts, formulation of definite evaluative criteria (in relation to objectives and targets) and willingness on the part of administrators to face upto inadequacies and shortcomings. There is a great need for critical evaluation of all programmes. Only recently there has been evaluation of rural social service programme; evaluation of grants-in-aid programme is underway.

A detailed study on administration and supervision is urgently called for. It is difficult and risky to say anything about this subject without such a study. But only some general statements may be made about some of the aspects.

The top-most position at the Directorate is yet to be occupied by a qualified professional social worker. And even in mid-level supervisory positions, there are quite a few non-professionals. For this and other reasons, field level supervision is very weak. This is so, despite the fact that quality of service depends so much on adequate and effect-



ive professional supervision. Another kind of problem has arisen due to inter-programme transfer. What may happen, in terms of quality of service, can easily be imagined when a social worker in U.C.D. setting (who has a degree in Bangla or History or Political Science) is transferred as a Probation Officer. It is a pity that no systematic effort has yet been undertaken to impart intensive social work education for at least one year or nine months for those social workers who do not have a degree (Honours or Master's) in Social Welfare/Social Work although there are In-Service Training Institutions. (Incidentally these institutions are not manned by the best and most experienced professional social workers). Another weakness is that always there are large number of vacant positions at the field level. The research and evaluation section at the Directorate is weak and not much effective; the main reason seems to be the fact that this is not adequately staffed.

### **Need for a Clear-cut Policy on Social Welfare**

Administrators are expected to take leadership in helping the people concerned to think through dispassionately and suggest formulation of a sound and appropriate social welfare policy. There are many issues to be resolved in this area. The need for a clear-cut Government policy and commitments on social welfare can not be overemphasized.

There is also the need for preparing a Social Work manual which should specify functions, duties and responsibilities of the various categories of personnel in Social Services Department, their qualifications (academic, professional and attitudinal), administrative functions, responsibilities and level of authorities, general rules, regulations, office methods, procedures, financial discipline methods, monitoring and supervisory methods and practices as well as evaluation criteria and methods.



## Andre Malro: Shatabdir Kimbadanti\*

This is an extremely pleasant reader on Andre Malraux (1901-1976), a most distinguished friend of Bangladesh and of endangered humanity. With no pretention of a research work the slender volume is nevertheless a most insightful study of the French humanist. The author introduces Malraux to his Bengali audience as the "Century's legend" using, accordingly, the language and style of a mystery novel in Bengali—unfolding facts and excitements with a sober bit of drama.

To present the Malraux phenomenon in such a short space the author has aptly inserted, by way of introduction and conclusion, two splendid pieces of obituary written years ago by Marc Chagall and Leopold S. Senghor respectively. Chagall described Malraux as a burning fire (p. 10) while Senghor identified him as a resistant revolutionary who accepted the challenge of opposing fate (pp. 89, 91). This spirit made Malraux defy the Western World to support Bangladesh in her liberation war in 1971 (p. 99). He also differed from fellow intellectuals by offering at 70 to join the Mukti Bahini [liberation army of Bangladesh] instead of issuing hollow statement (p. 93). The facts of Malraux's solidarity with the struggling people of Bangladesh have been thoroughly narrated in the book's appendix.

In search of the source of Malraux's dissent Senghor discovered in him a man of the deepest and widest consciousness (pp. 89-90). Critic Morris Shachs observed that Malraux in his mid-twenties seemed to be the most intelligent individual of the century (p. 38). Author Qureshi has noted in conclusion that even in his seventies, and in the light of his special relationship with Bangladesh, Malraux definitely looked an ever-awakened man—one of the world's most intelligent and most largehearted (p. 110). Chagall said Malraux was a friend of France and of humanity (p. 10) and Qureshi complements him by demonstrating that Malraux was also

\*Qureshi, Mahmud Shah. *Andre Malro: Shatabdir Kimbadanti* [Andre Malraux: The Century's Legend] (in Bengali). Dhaka: Alliance Francaise, (Distribution: Dhankhet Prokashani) 1986. 110pp. Reviewed by Priti K. Mitra



a lover of Bangladesh and her violated humanity. These examples illustrate the splendid unity of thought that Qureshi shares with serious Malraux-watchers.

In two very short (9 pages altogether) chapters the author has sketched Malraux's immediate ancestry, his years of preparation, as well as his youth and love. Together they account for the first twenty-two years of Andre Malraux's life, but somehow fail to define the foundations of the Mahājiban [super life] he was about to enter. The few lines on page 18 and the next two and half pages on Malraux's intellectual preliminaries arouse our curiosity more than they satisfy. The formative years, in the opinion of this reviewer, deserved a detailed treatment and more analysis for a full exposure of the beginnings of an intellectual giant.

Then follows the central piece—"Bānchār Mato Bānchā" [living a worthy life]—the longest chapter in the volume. Loaded with informations and excitements these splendid pages, along with the ensuing chapter on the last part of Malraux's life, forms the mass of the book. Covering the years from 1923 to 1945 "Bānchār Mato Bānchā" describes the wars and adventures of Malraux's life—his expedition to Indochina, his queer search for the palace of the Queen of Sheba, his participation in the Spanish Civil War, and his role in France's liberation struggle during World War II. Those are also the years that witnessed the production of Malraux's great works—his commentary on the experiences (and experiments, too).

The next chapter surveys the post-war period in Malraux's life—the years (1946-1976) marked with personal tragedies, concerns over art, and all kinds of afterthoughts and revisions. The author has given a good account of Malraux's collaboration with De Gaulle as well as some idea of his dialogues with statesmen like Jawaharlal Nehru, Indira Gandhi and Sheikh Mujibur Rahman. The chapter ends with a few interesting observations on certain inner problems of Malraux's mind—such as his indecision about spirituality and his encounter with the dilemma of life and death.

Both these chapters contain Professor Qureshi's observations on Malraux's important works. But these are rather short, and are sporadic in nature due to interruptions by reports of sheer events that are not always related to the literary works under discussion. This is due to the author's preference for a flat chronological style of narrating facts. To avoid this disintegrity in the author's interpretation, a separate chapter dedicated exclusively to Malraux's intellectual life and his works should have followed the linear biography.



The author has treated Malraux in the most favourable light. The account starts and ends with an obituary each, and in fact the whole book is an extended obituary by an inspired admirer who is also rightly grateful to Malraux's exceptional sympathy for the suffering people of Bangladesh. However, the book would have been intellectually more satisfactory if it contained, for the sake of objectivity, the opinions of Malraux's detractors also. Interesting questions like why Malraux co-operated with Left intellectuals but did not turn a Marxist and why he was not awarded the Nobel Prize for literature have been clearly answered in the text (pp. 39, 47, 86-87). But certain other riddles such as why Malraux kept aloof from Surrealist friends (p. 38), why he did not return to the anti-imperialist role he promised in Indochina (pp. 45-46), and why he did not want to be a member of the French Academy (p. 86) — are left unresolved. Malraux's undefined spiritual position and its implications also deserve more adequate treatment than is found on pages 86 and 87. Key ideas and problems in Malraux's philosophy of life such as individualism, the principle of 'fraternité virile', his opinion on revolution, his experiments with man, man's fate and death needed exclusive treatment in a section of the proposed chapter on Malraux's thought and works.

Although lacking methodical documentation of a research work, *Andre Malro: Shatabdir Kimbadanti* is actually the fruit of serious research and prolonged deliberation (Professor Qureshi has been writing on Malraux since 1973). Evidences and references are frequently supplied in the text in parentheses. More importantly, forty-seven invaluable pictures thoughtfully illustrate the narrative enhancing the book's beauty and eloquence.

The most original part of the book under review, however, is the appendix—"Bangladeshe Malro" [Malraux in Bangladesh]. It is most interesting to know that Malraux who had turned away from revolutionism long back in 1939 (p. 63) and had foregone his fighting spirit at the end of World War II (p. 67) to prefer a settled life of limited, constructive work, sharply returned to those ideals of his youth in 1971 when Bangladesh appealed to his conscience. Andre Malraux in his seventies offered, all alone in the West and in the world of intellectuals, to go to the fronts to fight for occupied Bangladesh. The appendix gives a clear, well-documented account of Malraux's very special reaction to Bangladesh's Liberation War, his visit to this country after liberation and the words of love and inspiration he spoke in Bangladesh. It also lets us know the author's own role in making the visit possible and a success. Professor Qureshi deserves our special thanks for this precious appendix.



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The nice production of the volume deserve special mention. The paper and print are of high quality, although the printer's devil seems to have been at work throughout the text. The cover is deeply expressive, but it should have been identified. The book lacks two necessities—a complete list of Malraux's works and an index. A list of illustrations would have added a good feature. One only expects that the deficiencies would be remedied in the next edition.



## Bangladesh: A Select General Bibliography\*

In 1971, Bangladesh, carved out to exist as a sovereign and independent state in the world map, has a variegated, rich and long tradition of learning, scholarship and cultural heritage. She had also the privilege of sharing the modern trend in education and culture with the rest of this sub-continent with the advent of the British Rule.

But the land has been lacking far behind in respect of proper bibliographical control of published materials and adequate and effective bibliographical services in all its aspects.

In this context, the publication of a volume entitled *Bangladesh, a Select General Bibliography* by M.A. Razzaque is indeed an invaluable contribution to the nation and the rest of the world.

This is the first ever attempt by a Bangladeshi scholar to compile a general bibliography on Bangladesh aspect. It is primarily to introduce Bangladesh through almost all available books on Bangladesh in English. The teachers, the students and the research workers— both local and foreign will be immensely benefited from it as a useful reference tool. This is vital to research, to dissemination of knowledge about Bangladesh, and essential for book selection and cooperation purposes.

Libraries, information and documentation centres and other bodies which coordinate and encourage higher studies and research all over the world will find it as an effective reference tool for their users and it will also serve as an essential aid to select materials on Bangladesh.

It will specially help researchers and persons working on any aspect of Bangladesh for information about an individual book on Bangladesh and books on Bangladesh relevant to their fields of interests. It will also help to avoid unnecessary duplication of work or delay in progress.

\*Bangladesh: A Select General Bibliography compiled by M.A. Razzaque, published by the compiler at Rajshahi, 1978, pp. 239, Price Tk. 60, \$5. (National Book Centre, Dhaka). Reviewed by Md. Faruque Ahmed.



The volume contains a total of 1090 books on different titles covering 319 subjects by 661 authors. It has got 35 chapters besides the comprehensive index of authors, titles and subjects at the end.

In its 239 pages, the compiler has attempted to bring the literature in an organised way modelling on Clio Press (Oxford) World Bibliography series. For effective and efficient consultation of the volume and also to facilitate the general users every item of entries is numbered and the index entries at the end of the volume refer to those numbers.

The volume is not a comprehensive general bibliography on Bangladesh but it covers most of the specialized aspects of Bangladesh studies i.e., history, geography, economics, politics, statistics, demography, education, law, language, literature, art, architecture, science, technology and such other subjects as are significantly related to Bangladeshi life and society.

The only grievances one has are the following:

1. The volume is rather concise;
2. Instead of amalgamating titles with author and subject indexes a separate title index arranged alphabetically would have been possibly more appropriate in serving the purposes of locating materials in the volume more easily and quickly;
3. Though a select general bibliography, it should have included periodical and newspaper articles and Report literature which form an important segment of published literature on Bangladesh. Then it would have helped to make it more comprehensive and unique. Researchers could have depended heavily on them as they contain the most current results of research;
4. Besides, some important older and current literature should have been added;
5. There are some printing mistakes here and there in the volume. The style of printing and letter composing are rather uneven and not uniform althrough.

However, the compiler should be congratulated for such a gigantic and imperative national task which should have been done long before by state initiative. We will expect a bigger and more comprehensive one from him in future on the subject which will definitely help us to live with honour and dignity in the comity of nations.

This bibliography would be of use to research workers, advanced students, Government officials and consultants who might find it as a reliable reference tool.



## **Aspect of Caste and Social Structure in a Rural Community of Bangladesh\***

**Profulla Chandra Sarker**

### **Objective of the Study**

The objective of the study is to give a clear picture of inter-caste relations. Hindu-Muslim intergroup relations, intergroup relations among the Muslims in connection with interprayer, inter-marriage and interdining and the socio-economic conditions in relation to landholding, economic production, occupation, family and fictive kinship. This study will help us in providing more information about the nation's largest minority and more especially it will contribute to our knowledge of inter-community and inter-religion relationships at the rural level.

### **Findings**

(1) In the field of agriculture, traditional methods of cultivation still exist. But a little change has been taking place with the establishment of cooperative society, irrigation pumps, supply of improved seed and chemical fertilizers plus weekly group discussion with model farmers.

(2) Occupational mobility can be found among the various castes and religious groups. Many persons have more than one occupation of which the traditional one is either primary or secondary. There multi-occupational pattern is existing among middle class people. Because some non-traditional occupations are more remunerative than the traditional one. This lucrative attitude is pushing the persons to go out the traditional occupation.

(3) In the field of family pattern, the traditional joint family system is breaking down and the nuclear family is increasing day by day in Mohanandakhali due to bad economic condition, attitude of self interest, quarrels and mal-adjustment. In the case of authority and decision

\*M. Phil Thesis, IBS/R.U., 1977.



making in the family, the head of the family (eldest male member) decides the all family matters and the future careers of children with the correlation of the responsible family members. But the decision is always flexible due to the unfarable socio-economic conditions.

(4) In Mohanandakhali fictive kin relationship is established between Hindus, between Muslims and between Hindus and Muslims. It is also found between the people of upper and lower rank. This fictive kin relation helps the maintenance of community stability and bringing security to each other to enhance the social solidarity in the community irrespective of religion, caste, sect and class.

(5) The Hindus are divided into six castes divisions viz. Brahman, Vaisanav, Haluai, Maheshya, Sunri and Namasudra. Among them the Brahman is ritually dominant caste, but numerically, economically and politically dominant group is Haluai. In the caste hierarchy the position of Haluai is third. Though each caste has their own hierarchical position in the society but they are socially, economically and politically inter-dependent because every caste has a particular function in social ceremonies and festivals. Although the caste system is still rather rigid in Mohanandakhali, we notice some changes in connection with informal food participation, prayer, services and village leadership which perhaps may be regarded as general trend of the day.

(6) The Hindus and Muslims constitute two distinct sections of the population of Mohanandakhali. There is social differentiation between the Hindus and Muslims although long residence and close association have brought them in close contact with each other and their culture in certain fields are inter-related. The relationship between Hindus and Muslims in Mohanandakhali is friendly because of mutual exchange of invitations to various festivals and ceremonies and good neighbourly relations.

(7) In Mohanandakhali all Muslims belong to the Ahla-hadith and Hanafi group in connection with the mojhab. Though they have slight differences in connection with religious practices and beliefs but their relationship is friendly neighbourly.

To sum up it is thus observed that there has been a significant change in the caste rigidity due to numerical strength of a single caste supported by diversified economic opportunities and ramsack economic conditions that are existing in the community.



# Kinship and Power Structure in Rural Bangladesh: A Case Study\*

Md. Shairul Mashreque

## Abstract

This is an anthropological study of a rural community in Bangladesh. It attempts to examine the nature of power relationship with emphasis on small groups or segments which we call the kinship groups.

A particular village in the district of Pabna in Northern Bangladesh was selected for the study. The village is named Ratanpur pseudonymously. The selection of the village can be considered justified as it would present a profile of interaction among the people under the existing social structure that is more or less common in other villages in Bangladesh. It comprised a reasonable number of households that present socioeconomic features which would be found in the district and region at large, with of course, some variations.

The study has recognised the significance of kinship in determining the power structure of the traditional peasant society. It has identified the small groups such as *ghar* (household), *bari* (household cluster), and *gusti* (lineage segments) which have political meanings and significance. The study has made it clear that the order of relationships existing in these small groups is the expression of traditional kinship organisation which is based on patrilineal descent principles.

More specifically, the study has described the political super-structure of the study village which contains a number of lineage segments each performing significant economic and political functions and acting as a cohesive unit in all aspects of social organisation. It has analysed the significance of the lineage segment which combines the structure of "reciprocity" and the 'structure of superordination' and thereby shows a precise co-ordination between the 'structure of lineage' and the 'structure of power'. The significance of the lineage segments is anchored in

\*M. Phil Thesis, IBS/R.U. 1981.



their forming separate factions thus enabling us to understand the role of kinship in polarising the people into political groups. While examining the structure of the rural political system the study has touched upon both 'ascription' and 'achievement' phenomena of the leadership pattern.

In addition to the political analysis of the lineage segment the thesis investigates the dimension of 'fictive' kinship which is found to be useful in strengthening the base of support, and delves deeply into the political aspects of affinal relationship—a relationship which in the ultimate analysis of political marriage culminates in the formation of marital alliance as a symbol of political alliance.

In a nutshell, by analysing the phenomenon of power in the context of the 'segmented' and 'compartmentalised' nature of the rural social organisation, the study seeks to dramatise the political life of a traditional Bangladesh village.



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