

## Budget and the Human Rights of the Marginalized

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The budget has been the center of discussion not only after 11<sup>th</sup> when it was declared; it was the central issue during the last election. It was central when the new government took power. We can safely say that it will continue to be *the issue* till the very last day of this government. The “call of change” of the present political government as interpreted in the budget is the central agenda of discussion. This paper does not go into details of the budget nor does it attempt to link the budget with the election manifesto of the present government. The paper relates the budget proposition with few concerns raised by human rights activists from the perspective of human rights of the most vulnerable – the marginalized communities and people.

### Marginalized People and the Agenda of Power

The paper defines the marginalized people as those who constitute the 28 million strong hardcore poor who are at the bottom of the 65 percent people of our country falling below the poverty line. One common feature of these people is that they are unable to meet the illusive nutritional range of 1,800 kilocalories.<sup>1</sup>

It is a simple definition. However, when we break down the “marginalized people” into communities of the marginalized; we find a wide range of diversity. Firstly, we find a group of unemployed rural landless. Then we find the slum dwelling population of the urban centers. Further more we find the destitute women, traditional professional groups of minority religious communities, ethnic minority and the adivashis of the land. Have we left anyone unmentioned? May be we have failed to mention many amongst us – who are here today to discuss about the “marginalized”? May be so – as marginalization is not merely an identity but also a destiny defined by socio-political and economic processes of deprivation and violation.

This diversity of communities and groups qualifying as the marginalized is not a complication – it is a reality which the governance system of the land has to acknowledge and address. In this paper, we would attempt to explore to what extent the recent budget has acknowledge the existence of this diverse group of people and addressed their concerns from the perspective of human rights.

We must mention that marginalization is not merely an economic status. It is primarily and most significantly a political status (related to class position and class relation with state) which among others is most significantly manifested in the economic position of a group of people. We must further mention that political status implies not merely ideological position – also the practical issue of power and hegemony. From this perspective, the marginalized people are not merely economically deprived; they are a group of people who are politically deprived of their basic human rights (including the right to meet the lowest acceptable range of nutrition).

We are not talking about a conspiracy theory. We are talking about exclusion and encroachment by the ruling class – the class with political authority and their priorities. The marginalized people are unable to influence this space of power, where priority of our government is set. They are unable to do so as they lack the political clout and might to ensure that instead of good intention and sympathy - political and policy decisions are taken, practical interventions are launched and formal recognition of their rights are reflected in the arena of governance! The ruling class excludes these sections of population from this space of power. At the same time the perspective, choice and concerns of the ruling class encroach upon the human rights of these people.

Why we separating the “marginalized” from the “poor”? The simple response to this question is that we do not separate the marginalize population from any other section of citizenship (let alone from the poor). We are talking about the human rights of those who are most affected by the hegemony of power – those who are least prioritized in terms of overall growth and development of our nation. We do understand that, if the growth and development priorities are set separately from the poverty alleviation priorities (in which the poor and the hardcore poor are dealt), a nation cannot move a head. We recognize that poverty alleviation and development

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<sup>1</sup> BBS, 2005

imply the same process and priority of empowerment, emancipation and establishment of human rights in a sustained manner. This includes all including those who are at the very bottom.

Budget being an economic tool of great political significance, draws our attention as it reflects how the national priorities are going to affect all of us – including the marginalized. The prelude to this discussion of budget is no less important for us, as we hope this discourse in time will shape our national political priorities even if it cannot change the content and priority of the current budget.

### **The Issue of the Marginalized in current Budget:**

The current budget has a section dedicated to the “*Minorities, People from Less Advanced Regions and Less Advantaged Community*”. This is encouraging. The budget proclaims, “*We believe in harmony among the different religions, castes, groups and communities. We want the end of differential treatment and oppression on minority population. We will guarantee political, administrative, legal and social security for them. We will take stern punitive measures against communal violence and also take special measures to protect the traditional rights of the aboriginal community in the hill areas. Special provision will be made for the ethnic minorities and aborigines in terms of providing them education and employment opportunities.*”<sup>2</sup>

We note that the *ethnic minorities* are addressed as the “marginalized communities” in this section. Furthermore, we observe that the aborigines are also recognized as the marginalized communities. However, it is not clear whether the budget recognizes the “aborigines” of the hill areas only. Hopefully that is not the case as we have no less “aboriginal communities” the advashis living on the plain lands. The list includes; Santsal, Orao, Munda, Mahaly, Paharea, Malo, Mahto, Rajoar, Karmokar, Mushohor, Muriari, Rai, Bedia, Kolhe, Turi, Rabidas, Hari, vuimaly, Gand, Patni, Bagdhi, Koch, teli, gorat, chai, baichhoni, lohara, ghatoal, dosadh, charal, dahora, vumij, betiea, angur, rajoar, nunieahari, rajbanshi, vuiea, boraek, khayra, dhuna, ghuri, banias, garo, hajong and hasiea.

The proposed budget in this section continues to express the commitment of the present government towards the full implementation of the Chittagong Hill Tracts Peace Treaty. It concludes by committing that, “*recognition will be given to the rights of the small groups, aboriginal people and other castes.*” It further commits to “*preserve the separate identity of their life, language, culture, literature and develop specific programmes for their balanced development.*”<sup>3</sup>

We would like to refer back to our prelude and add that a marginalize community can only be visible if it is able to impact the power structure. The ethnic population of the Chittagong Hill Tracts has managed to do so. However, this recognition is not enough, even for them (keeping aside our concern over the issue of recognition of the similar rights of the adivashi communities of the plain lands) – as the budget in this section does not reflect upon any specific measure and most importantly any specific allocation!

Let us not be cynical, let us hold the position that the present budget addressed the issue from good intention. We are merely raising our concerns over the fact that good intention alone cannot bring the “change”. The call for change calls for allocation of financial resources to the ethnic minorities with the constitutional recognition of their adivashi identity - a right proclaimed by the United Nations. The call for change further calls for budgetary allocations earmarked specifically to address “*differential treatment and oppression on minority population*” – rightfully recognized in the budget proposed for the financial year 2009-2010.<sup>4</sup>

The budget also has a segment on *Ensuring availability of food and expansion of food safety-net*. The budget proclaims the overall Social Safety Net Framework divided into four categories:<sup>5</sup>

1. Providing of special allowances for the different underprivileged section so that poor and disadvantaged people can tackle the poverty incidence with some effects;
2. Employment generation for poverty reduction through micro-credit and different fund management programs;
3. Food security based activities in order to better manage the consequences of disaster;

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<sup>2</sup> Budget speech (2009-2010); paragraph 256

<sup>3</sup> Budget speech (2009-2010); paragraph 257

<sup>4</sup> Budget speech (2009-2010); paragraph 256

<sup>5</sup> Budget speech (2009-2010); paragraph 206

4. Providing education, health, training and technical assistance to make the new generation capable and self-reliant.

We would like to embrace this framework and apply it to assess the budgetary allocations and provisions with respect to the marginalized people.

When we consider our primary nutrition based definition of the marginalized people, the issue of “food security” becomes critical. The budget speech assures us “*Aside from ensuring adequate food stock, we have taken sufficient measures for smooth distribution of food.*”<sup>6</sup> The concept is similar to the framework of USDA; the United States Department of Agriculture (USDA)<sup>7</sup> evaluates two aspects of food security, availability and distribution, both of which capture the extent of the shortfall, and analyze predicted trends. However, the *Committee on World Food Security*, a body set up in 1975 by the UN World Food Conference to oversee developments in food security, adopted in the early 1980s the recognition of food security as a tripartite concept, reflecting the criteria of availability, access and stability.

The issue of “access” demands more than “food stock” and “smooth distribution” – it calls for recognition of equity and rights. From this perspective the concept of Food Sovereignty becomes more appropriate to ensure the rights of the marginalized to food. As Food Sovereignty is the **RIGHT** of peoples, communities, and countries to define their own agricultural, labor, fishing, food and land policies which are ecologically, socially, economically and culturally appropriate to their unique circumstances. It includes the true right to food and to produce food, which means that all people have the right to safe, nutritious and culturally appropriate food and to food-producing resources and the ability to sustain themselves and their societies.<sup>8</sup>

Democracy, promotion and protection of all human rights and fundamental freedoms, including the right to development, and the full and equal participation of men and women are essential for achieving sustainable food security for all. The Nobel Laureate Amartya Sen has underlined the interdependence of civil and political rights on the one hand and economic, social and cultural rights, including the right to adequate food, on the other: civil and political rights are not only intrinsically valuable, but they are also instrumentally valuable for achieving economic, social, and cultural rights.<sup>9</sup> This once again brings us back to the issue of power.

According to United Nations Committee on Trade and Development (UNCTAD) Food sovereignty includes<sup>10</sup>:

- Prioritizing local agricultural production in order to feed the people, access of peasants and landless people to land, water, seeds, and credit. Hence the need for land reforms, for fighting against GMOs (Genetically Modified Organisms), for free access to seeds, and for safeguarding water as a public good to be sustainably distributed.
- The right of farmers, peasants to produce food and the right of consumers to be able to decide what they consume, and how and by whom it is produced.
- Agricultural prices linked to production costs.
- The population is empowered and facilitated to take part in the agricultural policy choices.
- The recognition of women farmers' rights, who play a major role in agricultural production and in food.

This relates the issue directly to agriculture and much more (including food safety, environmental concerns and gender). Moreover, when we take a look at the above mentioned components of food sovereignty, we get back to our second critical element discussed in the prelude – the issue and concerns of the marginalized cannot be dealt in isolation just as they cannot be isolated from the rest of the citizenship.

However, the budget summarizes the issue with a proposition to “*allocate 4 lakh MT of food grains as Test Relief (TR), 5.5 lakh MT as VGF, 3.75 lakh MT as Food for Work (FFW) and 2.65 lakh MT as VGD to secure*

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<sup>6</sup> Budget speech (2009-2010); paragraph 256

<sup>7</sup> USDA. 1999. *Food Security Assessment*. USDA Economic Research Service. Situation and Outlook series GFA-11 Washington DC.

<sup>8</sup> IPC Food Sovereignty

<sup>9</sup> MARC J. COHEN, THE RIGHT TO ADEQUATE FOOD AND FOOD SECURITY, Prepared for Presentation at the Congressional Human Rights Caucus Members Briefing on World Hunger: Moving Toward Global Food Security, Washington, DC, May 21, 2003.

<sup>10</sup> UNCTAD

*access to food and generate employment. To face any possible disaster .... a stock of 14 lakh MT of food grains.” It further proposes to construct godowns.<sup>11</sup>*

Moreover, as the issue of food security is linked closely with agriculture and several analysts have mentioned that this budget has a priority on agriculture – let us see how it impacts the cause of the marginalized people. The budget mentions:<sup>12</sup>

- As subsidy for fertilizer Tk. 3,600 crore as subsidy in this sector for the next fiscal year.
- Per capita availability of fish, meat, milk and egg to be increased
- Massive program for releasing fish fries in open waters
- Stimulus package for poultry farmers achieve self-sufficiency in fish production.
- Bringing in the water bodies and flood plains under community-based fisheries management.
- Helping to generate alternative employment through micro-credit program.
- Increase production and distribution of seeds and capacity for preservation and storing emphasis on agricultural research and rehabilitation
- Agricultural loan of Tk. 10,000 crore targeted Self-reliance in supply of protein.

In this regard we would like to remember that:

- The distribution of fertilizer through private dealers often fail to reach the marginal subsistence farmers/share croppers
- Availability of increased fish, meat etc. is not automatically translated into increased access over these by the marginalize people (lacking market power)
- The access of the water bodies open to the marginalized communities is extremely limited (the traditional rights are replaced by legal rights of lease etc.)
- Micro-credit programs within the mainstream structure fails to reach the marginalized (as they are considered unworthy of credit even by the NGOs).

This calls for rethinking the whole aspect of pro-agriculture package from the perspective of marginal farming communities and the entire issue of increase in production related to the issue of access of the marginalized to economic resources and entitlement to food etc. Being extremely “marginalized” also in terms of having access to institutions, these sections of population will not be able to reap the benefit of the “increased agricultural loans”. Once again the budget refers to a special “rate of interest in the hill districts”<sup>13</sup> but fails to clarify if it applies to all or specifically to the adivashis. Once again we would also like to raise the concern over the rights of the adivashis of the plain lands.

In relation to agriculture and livelihood, another critical element is land ownership. In this regard, the proposed budget “*would like to integrate land survey, land records and land management and bring the whole land administration under digital management.*”<sup>14</sup> However, it goes without saying that largely the marginalized people are landless or extremely land poor. Moreover, the adivashi people are left out of their traditional land ownership as the mainstream land management system is insensitive towards it. The digital Bangladesh must take note of this discrimination otherwise it will lead to a “digital divide” mimicking the discrimination and deprivation that leads to marginalization and reinforces/reproduces disempowerment.

As economy gets such a priority before we move into the social sector, let us take a look at the prospect of **Employment Generation for the Hard Core Poor**. We will take a look at two highlighted programs<sup>15</sup>:

- The budget proposes to allocate Tk. 1,176 crore for a major program titled **Employment Generation for the Hard Core Poor**. It is expected that “*with efficient leadership and management of this programme, the rural economy will become vibrant.*”<sup>16</sup> If we remember it correctly the pool of the hardcore poor was 28 million strong and through this celebrated Employment Generation for the Hard Core Poor *each of these hardcore poor will receive Tk. 420!!*

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<sup>11</sup> Budget speech (2009-2010); paragraph 120

<sup>12</sup> Budget speech (2009-2010); paragraph 93

<sup>13</sup> Budget speech (2009-2010); paragraph 97

<sup>14</sup> Budget speech (2009-2010); paragraph 294

<sup>15</sup> Budget speech (2009-2010); paragraph 232

<sup>16</sup> Budget speech (2009-2010); paragraph 220

- Under a changed program titled **Employment Generation for the Hardcore Poor** in FY 2009-10 the proposed budget attempts to create employment for 49 lakh man-months. What does it mean for our 28 million strong hard core poor? *It simply means work for 5 (five) man-days for each of them!*

Do these figures seem too meager? *Are these mere coincidences or are they once again reflections of the lack of voices and bargaining power of these people that define them as the “marginalized”!*

We would like to have a quick look at the social sectors in the budget before we wind up. In this regard, the budget brings in concepts such as “engendering budget” and “gender responsive budgeting” with respect to gender equity<sup>17</sup>. As far as marginalized women are considered, the budget identifies them as “destitute women”. It proposes the *Allowances for the Destitute Women* of Tk. 300 per person. with an overall raise in allocation to Tk. 331.20 crore in the next fiscal year from Tk. 61.20 crore from the current fiscal year.<sup>18</sup> Apart from that the budget proclaims, “*It is one of the priorities of the government to initiate positive steps to ensure gender equity across the economy. We want to bring women in the mainstream of economic development and good governance. We are going to incorporate gender and poverty related disaggregated data in the budget separately through the Medium Term Budget Framework.*”<sup>19</sup> However, we need to remember that Medium Term Budget Framework, applying gender responsive budgeting is adopted by the Ministry of Women and Children Affairs only recently (another ministry is the Ministry of Health and Family Welfare which has adopted the same). Thus, mainstreaming gender in budgeting is still a long way to go although we have made a start – let’s not forget that! Our concern lies in the fact the budget is not visualizing women in adivashi communities or in traditional professional communities in gender analysis with a special emphasis on their dual status as marginalized and as women.

Along with investment in infrastructure development especially, power and energy, ports, communication, supply of drinking water and waste management, the budget also Identifying education and health as vehicles to attain higher growth.<sup>20</sup> In this the budget contemplates requirement of a huge investment. The budget continues to mention of special provisions for poor but mainly regarding maternal and reproductive health care.<sup>21</sup> However, the budget leaves out the issue of ensuring access of the children of the marginalized in education program along with the issue of ensuring access of the poor in general and that of hardcore poor in specific in all forms of public and private health care provisions.

It is with extreme caution we hear the budget speech when in order to meet the investment gaps in infrastructure development (involving all forms of service sectors) the issue of *Public Private Partnership (PPP)* is mentioned. In this context the budget proposes that the government is “going to take **special initiatives to involve the private sector under Public Private Partnership (PPP) to meet the probable investment gap in infrastructure development and maintenance, alongside the government’s investment.**”<sup>22</sup> We humbly remember that last time we checked health, education and public utilities were part and parcel of human rights – our claim from government. In the name of PPP if these are increasing traded in the market we exclude the poor and obviously forget to address the issue of human rights of the marginalized people! We call on our government to interpret PPP as - **People-Public-Partnership** to retain the public utilities/services in public sector and not to open them under the service sector liberalization proposition of World Bank and General Agreement on Trade in Services of WTO.

The best news for the marginalized people in the budget speech must have been the point when it declared that “*We have started our work to bring down the poverty rate by 15 percent within 2021.*”<sup>23</sup> However, this is a perspective planning for another 12 years. What about this year and about every day struggle of the marginalized people just for mere survival? Let us not forget these questions and let us not talk about *change* without taking in the marginalized people as an integral part of any process of change for a better Bangladesh!!

-The End-

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<sup>17</sup> Budget speech (2009-2010); paragraph 75

<sup>18</sup> Budget speech (2009-2010); paragraph 208

<sup>19</sup> Budget speech (2009-2010); paragraph 75

<sup>20</sup> Budget speech (2009-2010); paragraph 55

<sup>21</sup> Budget speech (2009-2010); paragraph 197 & 198

<sup>22</sup> Budget speech (2009-2010); paragraph 58

<sup>23</sup> Budget speech (2009-2010); paragraph 206