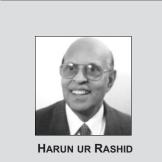
# POINT \*\*COUNTERPOINT

### Presidential controversy does not pay in political terms



heated debate has been raging in the political community concerning the constitutional position of the President-in-Charge, Speaker Barrister Jamiruddin Sircar ("President-in-Charge" is reportedly the right term to be used, according to the Law Minister, not "Acting President"), since President Professor Dr. lajuddin Ahmed has returned from Singapore after having going through a successful by-pass surgery. People are happy that the President has returned to the country after proper medical treatment and wish him well.

#### Two views

The heart of the issue is: Is the



The controversy's origin is the existing state of confrontational politics in the country, and even more as the general elections draw nearer. The political confrontation has reached a level where one side suspects the other's each and every move. There is also an impression among the public that the government has not helped much by not making things clear concerning the President's health.

President too ill to fulfill his duties?

Not only is the illness an element involved in this issue, but also the

involved in this issue, but also the extent of the President's illness, which makes him incapable of properly carrying out his functions.

There are two views on this issue. Firstly, the government has said that the President was too ill, and so during his absence, the Speaker was to temporarily execute the functions of the President as per the constitution.

On the other hand, the opposing political parties believe that the President has recovered from his illness and he is not being allowed to perform his functions by the government, who have an ulterior motive, and that this is a serious breach of the constitution.

The debate has intensified after

the President's return to Dhaka, and Bangabhavan has become the office of the President-in-Charge as well as the resting place of the President. One minister reportedly argued that it would have been better if the Speaker fulfilled these temporary duties from the Speaker's Office, rather than from Bangabhavan.

The correctness of either of the views depends on whom to believe in relation to the state of the President's health

#### Article 54

The government's position is that what the President-in-Charge has been doing is perfectly legal under Article 54 of the constitution:

"If a vacancy occurs in the office of the President or if the President is

unable to discharge the functions of his office on account of absence, illness or any other cause the Speaker shall discharge those functions until a President is elected or until the President resumes the functions of his office, as the case

The government reportedly makes it clear that Article 54 is invoked to suit the current situation and that the Speaker is simply carrying out his duties while the President recovers from his illness.

### Applicability of article

It seems that the actual debate lies elsewhere, as the issue is really based on the lack of trust that the opposing political parties have on the government.

Whatever facts the government

brings forth in connection to the physical fitness of the President, the opposition parties do not believe. They feel doubtful about the whole situation for many reasons, but the following are a few to be pointed out:

(a) They argue that the President was released by the Singapore hospital so that he could travel more than three hours in a plane to Dhaka and it is assumed that the President is fit and well under the circumstances. His conduct on arrival in Dhaka confirmed this.

(b) Ordinarily, a by-pass surgery patient is allowed to resume his office work after six weeks. But it is also important to note that each individual's health is different and it is up to the surgeon and physicians to judge the physical state of health of each patient after the surgery.

(c) The opposition parties are suspicious of the government, because in the past the four-party alliance, with the support of the government, was able to compel the former President, the ex- Secretary General of the BNP, to resign within 8 months.

(d) Furthermore, they claim that the BNP-led alliance has been pulling strings to assure that they return to power in the ensuing general election. Furthermore, the opposition also claims that the four-party alliance government led by the BNP is determined to install a "loyal and strong" President before they leave the office in late October.

### **Resolution of controversy**The prickly controversy could be easily resolved if:

(a)The President himself comes out with a statement about his state of health, or

(b)The views of the Singaporean cardiothoracic surgeon are obtained as to whether or not the President is really physically well enough to return to office.

However it appears that until

now, the government has not transparently made the basis of their view to the opposition and to the public; mere statements from the Press Secretary to the President or from Ministers do not impress anyone.

As stated earlier, the contro-

As stated earlier, the controversy's origin is the existing state of confrontational politics in the country, and even more as the general elections draw nearer. The political confrontation has reached a level where one side suspects the other's each and every move. There is also an impression among the public that

the government has not helped much by not making things clear concerning the President's health.

#### Other provisions

Article 50(3) of the constitution provides that: "The President may resign his office by writing under his hand addressed to the Speaker." The opposition reportedly alleges that the President has been put into such an uncomfortable situation that he might consider resigning his office

Such action, they perceive, will facilitate the implementation of the "hidden wishes" of the government, that is, to elect a very "loyal" person as the President whose term will be for five years from the date when the person enters the office (Article 50.1) That President can make the tenure of the next elected government difficult in case the opposition alliance wins the election.

Article 52(1) provides for the impeachment of the President for "violating this Constitution or of grave misconduct and the President can be removed by the votes of not less than two-thirds of the total number of members declaring that the charge has been substantiated."

Article 53 (1) provides the

of either physical or mental incapacity. However there are processes stipulated in the constitution in order to go forth with such removals. For example, a proposal to the Speaker can be submitted from the majority of the total number of members of parliament. Also, the President can be granted the right to appear before a medical board and then a motion of removal can be passed by the "votes of not less than two-thirds of the total number of members of

removal of the President on grounds

Political observers believe that it will not pay politically if the controversy on the office of the President continues. The public is getting more and more curious day by day due to the lack of clarity concerning the current situation. They are simply confused.

Parliament."

It is desirable that the government makes the case understandable by declaring the actual state of the President's health, corroborated either by a statement from the President or by the Singaporean surgeon.

Barrister Harun ur Rashid is a former Bangladesh Ambassador to the UN, Geneva.

# Why BNP has not implemented its election pledge to disclose assets



M ABDUL LATIF MONDAL

N June 28, The Awami League (AL), the main opposition in parliament called for disclosure of assets by the prime minister, opposition leader, ministers and lawmakers to check the all-pervading corruption in society but the ruling party kept mum on the proposal. Earlier, while speaking at different meetings and rallies, AL chief and leader of the opposition Sheikh Hasina expressed her readiness to disclose her own assets and the assets of her family members subject to the condition that the Prime Minister and her family members do the same. There has yet to be a response to Hasina's proposal.

The general expectation was that in view of Bangladesh's rating by Transparency International (TI) as the most corrupt country in the world

# BARE FACTS

First, many political analysts and observers are of the opinion that like any other political party in the country, the BNP harbours an abhorrence for transparency, whether in politics or in governance. Second, some scholars believe that the BNP might have thought that the vast wealth amassed by the party would help it to win the next general election.

for the past four years of BNP-led alliance rule, the party would respond positively to the AL's request. BNP's refusal to cooperate with the AL proposal to check unbridled corruption in the society has frustrated the Bangladeshi public, who are the very people most affected by the country's corrupt politics.

Though hardly any section of the society is free from the ignoble vice of corruption, most analysts are of the opinion that politicians top the list of the three main actors in the high corruption drama of Bangladesh, the other two being the public servants and the private corporate sector.

Since reintroduction of parliamentary democracy in 1991, running in parliamentary elections has become very costly. This is particularly true in the case of candidates seeking nominations from the two

major political parties BNP and AL who have alternated power for the past 15 years. Candidates seeking nominations from political parties, in particular from the BNP and the AL, have to donate huge amounts of money to the party fund. Then, to win elections, the nominated candidate needs enough money and enough muscle. If one has enough money, muscle can then be arranged easily.

In its latest Country Assistance

Strategy report the World Bank (WB), observes that elections in Bangladesh cost far more to contest in than the candidates are allowed to spend. While the expenditure ceiling is fixed at Tk 500,000, in reality this is only a fraction of the true cost spent on campaign activities. Earlier, while speaking at an international workshop on infrastructure financing in Bangladesh

on August 29, 2005, WB Country Director for Bangladesh, Christine Wallich observed: "Election financing is thought to be to be a major source of corruption in Bangladesh. Some would say the major source. The cost of getting elected in Bangladesh is said to be among the highest in the world. Taka 200 billion was said to be spent by the parties for the last elections... This is about \$3. 3 billion or 5 percent of GDP, a large number for a country at Bangladesh's income level."

For some countries using a multiparty democratic system, the members of parliament (MPs) are under legal obligation to submit yearly statements of their assets, their spouses and dependents to the Election Commission (EC). For example, in Pakistan, it is mandatory for every MP as well as members of provincial assemblies (MPAs) to submit yearly statements of assets and liabilities of their own, their spouses and dependents to the Election Commission (EC) under section 42A of the Representation of the People Act 1976 and section 25A of the Senate (Election) Act 1975.

The statements submitted are published in the official gazette. These statements are scrutinised and if any statement is found to be false in material particulars, the member concerned is proceeded against for committing the offence of corrupt practice. The Acts further provide that the MPs or MPAs, who fail to file the statements of assets and liabilities within the specified period, shall cease to function as members till the submission of such statements.

In Bangladesh, no government has to date taken any initiative for enactment of such a law.

In its manifesto for 2001 election, BNP pledged that if voted to power, it would take legal steps for the disclosure of assets and properties of all elected people's representatives, including the prime minister, ministers and others with the rank and status of a minister.

Thus, the question arises then, why has the BNP not taken any legal measure to fulfil its aforesaid election pledge?

observers are of the opinion that like any other political party in the country, the BNP harbours an abhorrence for transparency, whether in politics or in governance. The BNP is fully aware that in the past four vears of the BNP-led alliance rule. most of the BNP ministers, lawmakers, and important party members have amassed so much wealth that it would be suicidal for the party to enact any law which would make the submission of statements of assets and liabilities of the Prime Minister, ministers, MPs, and their family members to the EC mandatory.

Second, some scholars believe that the BNP might have thought that the vast wealth amassed by the party would help it purchase votes in order to win the next general election. A large number of voters in rural and urban areas are illiterate, poor and ultra-poor, and therefore are not conscious of the value of their votes. Most of them do not bother to sell their votes for petty gains in cash. The BNP wishes to reach these voters using its vast financial resources.

Thirdly BNP leaders may have

Thirdly, BNP leaders may have kept in mind the saying that people's memory is proverbially short, and that they would soon forget that Bangladesh was rated by TI as the most corrupt country in the world for

all the past four years of the BNP-led alliance rule. That they would forget the exorbitant prices of essentials items that have made their lives miserable.

Last but not the least, the media, both print and electronic, has got enormous influence on the people of Bangladesh in the formation of their opinion. Recently, the arrival of pro-establishment newspapers has been noticed. It is almost certain that they will have financial blessing of the BNP-led alliance in the form of advertisements or otherwise during the BNP's remaining days in power as well as during the period of caretaker government.

Furthermore, in a society where the literacy rate hovers at 50%, the electronic media, such as television and radio, exercise a great deal of influence in shaping public opinion. Fully aware of this, the BNP ministers, lawmakers and officials who have amassed huge wealth have been quick to open new private TV channels. According to media reports, out of eight private TV channels, mostly owned by the BNP officials, four are airing regular programs while the rest are running test programs. It is learnt that some more private TV channels owned by BNP ministers, lawmakers and associates will receive licences shortly. The prime minister has already asked that these private TV channel owners, who have not disclosed their sources of wealth, to highlight the ruling alliance activities to promote the interest of the ruling alliance in view of the coming general election.

The above discussion would seem to explain to a considerable extent as to why the BNP did not take any legal measure for the disclosure of assets owned by the prime minister, ministers, MPs, and their family members.

While speaking at different meetings and rallies, Khaleda Zia, Prime Minister and BNP chairperson, her son and BNP senior joint secretary Tarique Rahman, and BNP ministers are repeating the pledge that if BNP were voted to power again. eradication of corruption would gain priority. It is difficult to say how many people will repose their faith in the fresh pledge of the BNP to eradicate corruption if voted to power again. A countrywide survey recently undertaken by a powerful body shows that the BNP may win, at the most, 115 seats in the next general election. Corruption, soaring prices of essentials, and the current electricity crisis are primary reasons for the decline of support for the BNP.

M. Abdul Latif Mondal is a former Secretary to the government.

## **Ban the World Cup flop**



If, for example, a replay showed that no elbow even touched Henry's face, then redcard him for the next game. Make the price high enough and flops may disappear. Similarly, bogus yellows and reds can be removed; it is ludicrous to make a team pay a second price -- beyond the one they already paid on the field -- for a mistaken

### MARK STARR

am a flop and, in keeping with the spirit of our times, blame my predicament entirely on the flops of others.

Let me explain. For the past couple of decades, I have postured as a true soccer man, or actually as a "football" man to project a continental flair. I have pretended to be so well versed in the game, so comfortable with all its nuances, downright European in my appreciation of its history, its ritual and its realities. At least in my mind, I am Old World. I practically have to put down my boccie ball before I stroll down the cobblestone street to the cafe to watch the match.

But the 2006 World Cup has drummed home one painful truth: in the end, I am fundamentally New World when it comes to soccer, impatient with the idiocies of the FIFA establishment for foisting a spoiled game upon us in this, the sport's greatest showcase. Under the guise of tradition. they perpetuate a fraud. Unable to police the game with old methods, disdainful of new technologies they have assured that the beautiful game is myth; the reality is a succession of dives, flops and other diva-like performances that no one man -- certainly no referee I've seen work this tournament -can sort out with any accuracy.

What you end up with is a succession of ruinous mistakes by referees that produce games that might as well be decided on

a whim, which some pretty much are. I could name dozens of blunders, but I'll stick to just the last few games. Fabio Grosso executes a classic Italian flop in the final seconds that, with official blessing, sends the Azzurri on to the quarters and the gutsy Socceroos home down under. There's a missed offside against Adriano on a Brazilian goal that stifled Ghana's game comeback attempt. And my absolute favourite player, Thierry Henry, fakes taking an elbow to the face, going down as if he had taken a bullet instead: the result a French free kick, which produces the decisive second goal against Spain.

FIFA obviously recognizes that the modern game has its problems. Before this World Cup the governing body of international soccer instructed officials to get tough on tackles from behind. tugs on the shirt and stalling tactics -- all good notions. They hoped to help give the game back its flow and natural grace. In the first few matches the plan was successful before overzealous refs turned good intentions into farce. They called absolutely everything -- though somehow they missed a head butt by Portugal's Luis Figo in the middle of the field -- and were right about as often as they were wrong. But

the wrongs have too often proved to be the turning points in games.
I am sick of hearing announcers saying of fouls, "he sold it

beautifully," as if feigned victimization is Pele-like talent. I am sick to death of the prevailing attitude that flow is the be-all and end-all when an honest game should be the ultimate concern. There are many innovations that could help protect the integrity of the game -- against both human error and, worse, scandalous deceit. Here are just a few notions:

A second ref: It is ludicrous

that FIFA still insists on leaving command of the game in the hands of a single official. The field is too big, the athletes too fast, the game too complex for one man to handle. The referee is often out of position without a decent vantage point from which to judge a critical play. The NBA, with fewer men to police a smaller space, improved play with the addition of a third ref in the late 1980s. It is at least common sense to add a second ref on the soccer pitch, providing two perspectives on everything The game could also use one extra official at each end of the field: like a linesman with their sideline duties, at each end of the field, he would just eye the box, where the most critical calls are Consultation: I know the

referee is wired and can seek help from his two linesmen. But if any refs have been availing themselves of this assistance during the World Cup, it has been to no apparent effect. I haven't seen a referee reverse himself yet. There is no shame in changing one's mind, only in plunging

ahead with a bad call, and when it proves decisive in an event of World Cup magnitude, it becomes a permanent stain on the game. This is not the same era in which fans would romanticize another call like the infamous "Hand of God" incident in the 1986 World Cup, in which Argentina's Diego Maradona was given a goal even though he illegally punched a ball into the net.

Replay: Let me say it again:

"Damn the flow." In a sport where a single goal is so often decisive. you should aim, at least once every four years in the World Cup, to get the critical calls correct. So how about starting with replays on disputed goals (or disputed non-goals), as well as on fouls in the box that lead to penalty kicks. The former may not be needed if they can just perfect the gizmo that, placed inside the ball, will signal whether it crosses the goal line. The latter, though, is desperately needed. Sure, it might slow things down for a minute. But it probably wouldn't take as long as NFL replay, where the loads of big bodies and big equipment tend to obscure events. Soccer is, by comparison, bit more naked and out in the open. Replay should be able to answer key questions -- was he actually tripped or shoved or was he faking? --expeditiously. There's always some delay before a penalty kick is taken. If a replay official starts looking at the call immediately after it is made, the impact on the pace of the pace of the game would be negligible.

Challenges: Here's another lesson their football could learn from ours. Complement replay by giving each coach one challenge to use on a non-call in the box. If

you want to really put the coach on the spot and restrict random use of that challenge, take away one of his three substitutions for an errant challenge. That would assure that a coach would only use it on a virtual certainty. But a challenge option is needed for those moments when everybody sees the play except the referee: like the one that still roils me, the German handball that was somehow missed in the US-Germany quarterfinal loss in 2002. A challenge option might help level the playing field, since the benefit of the doubt on close calls tends to go to the superstars and established powers.

Post-game review: I know

FIFA currently reviews referees'

performances. But nothing ever seems to come of it. What we need are official reviews with the power to rectify mistaken cards and to remedy oversights. Maybe you can't solve everything on the field during the game. But if a player knows that a review official will re-examine the game with the power to issue a postmatch yellow or even red card that would affect eligibility for the next contest, players might be more circumspect about feigned injuries or random head butts. If, for example, a replay showed that no elbow even touched Henry's face, then red-card him for the next game. Make the price high enough and flops may disappear. Similarly, bogus yellows and reds can be removed; it is ludicrous to make a team pay a second price -- beyond the one they already paid on the field -for a mistaken call

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### While we were looking elsewhere

### SHASHI THAROOR

EOPLE around the world are increasingly influenced by what they see on their television screens. So when a popular television hospital drama decides to forgo the local emergency room, and film a series of episodes in a camp for the victims of a conflict taking place half a world away, one can't help but take notice. I certainly did, especially since it happened just as the United Nations was preparing to launch its annual list of the stories that deserve greater media attention.

The show in question was the US TV drama ER, and its producers have chosen to transfer the action from Chicago, in Midwestern America, to a camp for internally displaced people in Sudan's strifetorn Darfur region. There are few better ways that I can imagine to bring the grim reality of this horrible conflict home to people whose daily lives are far removed from this scale of suffering.

of suffering. If the producers' intent was to help TV viewers understand the suffering and the atrocities, so they can demand their governments act to stop them, then this is an admirable aim. And doubly worthwhile, given that one US media monitor claims that the three major US evening news programs devoted less than 10 minutes combined to this devastating conflict in the first four months of 2006 -- and we have anecdotal advice that broadcast coverage in the rest of the world was not much better

Clearly, all emergencies are not equal in the eyes of the media, and therefore in the eyes of the world. What else explains that fact that the South Asian Tsunami, which hit at the height of the holiday season in 2004, triggered a massive outpour-

ing of funds while the global response to the devastating earthquake that destroyed the Silk Road city of Bam, in Iran, a year earlier was sluggish, to say the least?

In 2004, my colleagues and I were agonizing over what to do about the fact that blanket coverage of the Iraq war had driven many other vitally important and newsworthy stories from our newspapers and our TV screens. One first step, we decided, was to provide a list of those stories that were not being heard. And thus the UN's annual "Ten Stories the World Should Hear More About" list was born.

Some feared that the media

might view our list as a rebuke, but that was certainly not our intention. We wanted to find the means to inspire ordinary people to care enough about these stories to tell their leaders they wanted action-action that would support those who have triumphed against unthinkable odds, help those who desperately need our collective help if they are to save themselves from destitution, misery and worse, and bring into the limelight those successes that we need to recognize. To do this, we chose to provide journalists and editors with a list of those stories that were both newsworthy and worthy of our attention, in the hope that our prodding would contribute to bringing these life affirming and life threatening issues to their front burners.

Two years later, many of the stories on our previous lists are still receiving valuable coverage from media organizations and bloggers. But even though our lists have made a difference, the fundamental dilemma remains -- mainstream media continues to focus on a handful of international stories, while others -- equally important

and equally deserving of our collective time and our effort -- are only viewed fleetingly, and often through a very narrow lens

Many of the stories on the 2006 list, which was launched on May 15, are not about places that have never graced your morning news, but rather about aspects of those stories that somehow got lost in the tolling.

When the world focuses on efforts to bring former Liberian dictator Charles Taylor to justice, we say please don't forget to mention that Liberia's newly elected leader, Ellen Johnston-Sirleaf, is Africa's first female President, and don't ignore the serious struggle her people face as they try to build sustainable peace.

sustainable peace.

And when stories of people power versus the palace in Nepal appear, perhaps the conflict with the Maoists and the resulting damage to the lives of a generation of children should also rate a mention.

And when the Democratic Republic of Congo is identified with years of conflict and carnage, could readers or viewers perhaps also learn about that country's courageous steps to hold its first ever multi-party elections?

Our aim is to provide journalists with timely and accurate information about these other elements. And we do that because these issues need your attention and support.

Some may argue that journalists are just story-tellers that the real action lies elsewhere. But powerful stories change the world.. Our task is to challenge those who tell the stories that define our world to use that power to make it a better place.

The author is the UN Under-Secretary-General for Communications and Public Information and the Indian candidate for UN Secretary-General.