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# Reforming the Election Commission



Article 118 to 126 of the Constitution of Bangladesh describe all about the election and its management body. According to my understanding one of the themes these Articles try to explain is that a credible election management body should be independent, non-partisan and professional. Unfortunately, in reality, the Election Commission (EC) of Bangladesh lacks these principles. That is why today there is a wake of political discord in the country.

We know that reforming the EC has been the demand of the major political parties and forums of the civil society of the country for the last couple of years. Foreign donors have also emphasized on it. So much so, questions are being raised as to whether elections will actually take place and, if so, whether they will be free and fair. Thus reconstruction of the EC should be the first priority in Bangladesh among all governance related reforms.

Now the question is how we can do this? Political parties of the country have some recommendations on it. The recommendations, however, do not suggest long-range structural change of the Commission.

The first and foremost demand here was the removal of the current Chief Election Commissioner (CEC), which is already somewhat fulfilled. One may, easily raise the question that could the removal of the CEC be a permanent reconstructive measure of the Commission? Actually a sustainable reconstruction of the Commission does not include that simple step only. It depends on various things which need to be found out by research. I have some recommendations in this regard.

Firstly, the Election Commission Secretariat (ECS) should be separated from the Prime Minister's Office and should be placed under the Election Commission itself. Secondly, the number of the Election Commissioners should be increased so that the present coterie running the Election Commission becomes a decided minority. Thirdly, party loyalist, which had been placed at district, upazila and thana levels apparently to influence election results, should be removed. Fourthly, the magisterial power that has been given to law enforcement agencies should be withdrawn. Fifthly, the promotion of the election functionaries of the Election Commission Secretariat should be accelerated thus functionaries from admin cadre of the government could not fill up the posts of the ECS. Sixthly, Election laws of the country should be amended. Seventhly, the present Election Tribunal should be strengthened. Eighthly, after the election, the counting of the votes should be in front of a designated political committee formed by all party representatives. Ninthly, government should arrange some special-trainings periodically for the functionaries of the ECS in order to make them efficient for conducting free and fair elections. Finally, any other matter deemed necessary for holding a free and fair election should be considered.

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## Foreign students' visa

Nowadays lot of foreign students, especially students from Nepal are coming over to Bangladesh to pursue higher studies in different public and private universities as well as in the medical/dental colleges. They initially come on three months student visa and later on go to the passport office for extension of it. Unfortunately, our visa office people instead of helping them to get extension as stipulated in the Ministry of Home Affairs letter no. sha:ma/bahi-2/1a-1/90/662, dated 10-6-2001 allegedly make the best use of their unscrupulous tricks to earn some quick bucks. By doing that these people not only spoil the image of the country but also discourage the prospective students to come over to Bangladesh. When these students are supposed to get visa for the duration of their study period on production of required certificate from the educational institutes and subject to clearance by the SB, they are unnecessarily made to wait for the whole day till they get fed up and please the right persons. I suggest that the government investigate the matter and a separate enclosure may be set up only for the extension of visa to the foreign students.

We have already stooped too low as a nation in the eyes of the world community, being champion in corruption repeatedly and also in brutality by killing political opponents in broad daylight. I feel this is high time that someone from somewhere started a campaign for change. The sane elements in passport office can also show us the light.

May God bless our beloved country and the majority of its innocent people.

**Zoha**  
On e-mail

## Away from home forever

After the crushing defeat of Pakistan army, the new Bangladesh government in 1972 declared that it would take back all the Bengalees from Pakistan except the two collaborators - Nurul Amin and Mahmood Ali. The later died in Lahore on 17th November 2006 while addressing a children's function about reunification of Pakistan and Bangladesh (!). Indeed both are buried in the barren desert of Pakistan - thousand miles away from their forefathers' resting place.

**M. Emad**  
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## Don't cry for me, Dhaka!

I enjoyed the British High Commissioner to Bangladesh, HE Anwar Chowdhury's "Dhaka: Home away from Home" (DS 1 November 2006). Besides giving a nice literary description of Dhaka, HE Anwar Chowdhury raised food for thought in one sentence, "Dhaka is looking after millions of people, but who is looking after Dhaka?" This single sentence aptly describes any sensible person's melancholy for today's Dhaka. What was Dhaka even two decades ago, and what is it now! This ought to be a wake-up call for everybody. It's still not too late to act. If we fail to do so, in less than one generation, we'll be singing, "Don't cry for me, Dhaka!"

**Asrar Chowdhury**  
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## Of Hasan and the ETV

The other day we some colleagues at the local law college frantically

raised sort of a storm over the tea cup on the ceaseless talk of the country, i.e., the thorny issue of the Non-Party Caretaker Government at the helm of the affairs of the state right now. Of the interesting deliberations that took place, some took my fancy inevitably. One of them was that despite enormous popularity, commitment and potentiality, the final hour set in for the now-defunct Ekushey Television (ETV) as soon as the then Prime Minister, Sheikh Hasina, reportedly transpired that it was she herself who named the said TV channel as it was. Perhaps this rather casual statement made by her drew, the discussant concerned opined, the sharp attention of her political rivals. Henceforth, they went on despising the ETV taking it for the AL's propaganda machine and then they came down heavily upon it at the very earliest opportunity making sure that it was done for, at least for the time being.

The same discussant came up with the unique idea that whatever came to pass as to the country's former Chief Justice Hasan's taking over as the Chief Adviser of the present Care-taker Government were again the collective outcome of the same kind of zeal and arrogance on the part of the immediate past government. That he would eventually end up far from assuming the mammoth responsibility was virtually made clear the very moment the age-limit for retirement of the judges of the Supreme Court was increased by the over-enthusiastic government of the day to pave the way for Hasan to become the next Chief Adviser. Given his track-record of being upright throughout his judgeship, who could hold for sure he was not poised for the required service to the nation? To my utter surprise, most of

the gentry present readily subscribed to this view. Not that I myself didn't feel inclined at all, too.

As a matter of fact, politics as practised by our statesmen has taken to the evil way so profoundly that it hardly leaves room for mutual tolerance, trust and respect among the political parties. The way the political parties oppose one another on each and every national issue sans any consideration for rationality or acceptability never fails to get the citizens quite dismayed. To speak the truth, opposition for opposition's sake has been the single creed of the political parties here. Isn't it high time things were beginning to change for the better in the greater interest of the nation?

**Mohammed Shahjahan**  
Law College, Cox's Bazar

## Force to attain peace?

BNP-Jamaat won the 2001 elections with more than two-third majority of seats. Soon after the whole country especially the villages were turned into torture chambers of the BNP-Jamaat goons. The non-Muslims and BNP opponents were the main targets. Looting, raping, plundering etc. were committed in gusto. The mayhem continued for quite some time. Sporadic incidences kept on happening till the fag end of tenure of the 'worst Raj' of our country. Consequently 'the combine' and their student wings, youth wings drove away the opponents and established their 'Raj' in all spheres. The ruling combine embarked upon wiping out influences of the oppositions and the secular forces by resorting to all conceivable illegal, evil and devious means.

Syndicates were formed for

extortions. 'Commissionbazi' earned a new dimension. Pseudo-Islamic fundamentalists were unleashed to terrorise the people, and to establish and propagate a perverted brand of Islam. The destruction of the moral fibre and the sacred basic principles on which Bangladesh was established was almost complete.

Election commission was thoroughly polluted by inducting questionable persons as CEC, EC and Secretary. A grossly faulty voter list was drawn up. For long five years BNP-Jamaat combine took all the preparations to rig the elections under 'able' shelter of election commission, police and other law enforcing agencies. Opposition activists and leaders were ruthlessly beaten up. Rulings of High and Supreme courts were violated with impunity. They utilized the whole tenure to chalk out a devilish road map for usurping power by any means.

At the backdrop of the above scenario the combined opposition started their 'Andolon'. They were driven to the walls. It is a do or die situation for them and for the right thinking populace who form majority in our country. BNP-Jamaat combine tried to deceive and hoodwink the people till the end.

So, we witnessed fierce and violent demonstrations in the streets of Dhaka and all over the country. But you cannot kill a poisonous cobra with a thin stick.

We have not forgotten the people's uprisings of 1969, 1970-71, 1990. They were decisive. BNP-Jamaat would not have conceded any grounds if force were not applied. Many times it becomes necessary to apply force to attain peace and rights. History says so.

**SN Mamoon**  
On e-mail

## Behind the facade

I have the opportunity of interacting with lots of members of Jamaat-Islam and Shibir in my professional life. They are usually well behaved, soft-spoken and possess infinite patience. The females are usually adorned in various kinds of 'Burkha'. You cannot see anything. One such lady told her daughter in front of me, 'heaven of a wife lies at the feet of husband!' We know that Prophet said 'heaven lies under the feet of mother'. That's how they mislead.

There are two kinds of males. The more politically active ones are aggressive. They demand service citing their closeness with the former ruling junta. The majority of them look quite passive. They follow the orders and instructions of the mentors and feel proud that they are serving Islam.

They motivate people by their constant poking, propaganda, sweet talks and externally good behaviour. Many people cannot see their inner self hiding behind the ever-patient smiling activists. The looks are deceptive. Behind the smiles often lie the minds of fanatical killers. Their ultimate goals may be absolutely contrary to external sugar coating.

**SNM**  
On e-mail

## Who plays the key role for election?

During this summer while I was in Bangladesh I have seen a special complimentary page in the daily Prothom Alo on Election Commission and its activities. Among the designated discussants, there was

Justice Abdur Rouf, ex chief election commissioner. In his discussion he mentioned that actually election commission does not play major role in conducting free and fair election in Bangladesh. He cited the reference of a TNO of one of the hill districts who once said to him that free and fair election in CHT did not happen in any of the democratic election process and always it was determined by the army general who was in charge of the area. It was a serious allegation and we heard it from one of the ex chief election commissioners. On November 11 I saw a special talkshow on a private TV channel -- NTV. The topic was again the role of election commission and the election procedures. The ex-chief election commissioner (mentioned above) was present in the discussion. Although indirectly, he criticised the on-going political agitation of opposition coalition against the chief election commissioner and his colleagues at election commission. He mentioned that it was not the election commission but the local administration which plays the key role in conducting the election. The DCs, SPs and TNOs are the key figures in the whole election process. If someone wants to apply any influence in the election process and in its final result, they are the top level officials of local administration.

What stands from his argument is that anti-CEC campaign is meaningless. So far we know that during election local administration works under the direction of the election commission. So, it is the election commission who is responsible for any misconduct done in the election process. But the arguments of the ex-chief election commissioner in the media gives different scenario. Which one is correct? Who is powerful? Is it local administration or election commission? If the election commission is not responsible for free and fair election, then why are there lots of discussion on electoral reforms? What will be the useful reform to ensure free and fair election which is, arguably, badly needed for the consolidation of democratic culture in Bangladesh?

**Omar Mohammed**  
Toronto

## Civil servants

Under the Constitution of Bangladesh every person in the service of the Republic (i.e. the civil servants) holds office under the President. The Civil Servants are meant to work as the servants of the Republic. This is very different from being employees of the political party running the government. The distinction is vital because civil servants are meant to be non-political persons who work under the government of the day and ensure continuity of work of the State from one government to another.

At present the civil servants of Bangladesh are meant to work for the Non-Party Caretaker Government. The Council of Advisers would be well advised to take stern and effective action against these civil servants. Otherwise the Advisers themselves will lose credibility.

Heads need to roll and quickly if the Caretaker Government hopes to be perceived as neutral.

**Moin Ghani**  
Motijheel C/A, Dhaka

## Open letter to our politicians

Once again, the country is splendidly made to stand still by your whims, which are borne out of a solemn singular desire - to reign. I must commend (not condemn, mind you) all you politicians for your efforts to not waste a single minute of your busy days to any idea that may be, God forbid, "good for the country"! In fact, it must be a very foreign concept to you, I imagine -- this so-called "good for the nation/people" thing or whatever. In the unlikely event that you feel even an iota of compunction, please thrust it aside and let the country go to hell, through future hartals and blockades. Don't lose focus - save the seats, that's the golden rule. We are here to feed your power-hunger with our votes, fear not. Some people may be foolishly saying - the days of Ershad were better. Pay no heed; besides, Ershad is making a comeback - which proves that we can take politics out of the man, but we can't take the man out of politics. Earlier, the Pakis were hell-bent upon destroying our nation; well, now we have our own home grown Pack of Bin.

**Sujan E. Bin Wadud**  
New York

## I don't get it...

I don't get it why we are still debating on how to hold free and fair polls without debating on ways and means to reform the dynastic and autocratic nature of BNP and AL first? What is the point in holding free and fair polls if it is to be contested by BNP and AL under their present autocratic and dynastic set up? If either the BNP or AL forms the next government, how will that change the fate of this country? Why is the civil society, the media and the political thinkers still not raising the issue of reforming BNP and AL first before reforming anything else? Why should we be happy and contented with holding free and fair polls only without ensuring that democracy is institutionalized in BNP and AL first?

**Syed H.**  
Old DOHS, Dhaka

## An irresponsible silence of civil society

This is in response to the unethical silence (non-response) of our self-proclaimed civil society members to the bloodiest and bone-chilling brutality demonstrated by some political activists against a helpless member of their opponent political party. Obviously, I am referring to one of the political killing in the recent past committed in broad day light which the world have to watch

so painfully. I, like many others hoped to see some kind of serious reaction and reprimand from the leaders (men of principles!) of 'Sushil Shomaj' (civil society) as they are used to give quite often. But why? Were all of them blind not to watch any news (TV) on that night? Or were they too sensitive like juveniles (who were taken away from TV screens by their parents so that they don't have to watch such bestiality) to watch such heart-breaking brutality? If these were not actually their condition why did not they give any formal/informal objection and demand exemplary punishment for such crime against humanity? Did they think that a bright student, who was the student of computer science (6th semester) in the Stamford University deserve such untimely ending of his life and dream? Did they ever think of his poor parents who had a dream? Will they not act sensitively yet? All these questions (or similar reactions) are now frequent in Letters to Editor from the sensitive readers. Any kind of such brutality should be stopped immediately and our political leaders should act cautiously against such violations of human rights. Let us not be hypocrites.

**Drift**  
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# Democracy in America



The beauty of democracy is that voters as a collective force 'usually' don't make a mistake. If you're harmful to the domestic and international interests of the nation, the electorate will throw you out of office. One can enter an endless and useless debate on who's the best President of the United States in the more than 200 years of democracy there. The majority will never rule, you'll never reach a unanimous decision because there have been more than one great American President.

If, however, you enter the debate on who the 'worst' President the United States ever had, you probably won't have difficulty in reaching a decisive conclusion. I don't think so much damage has been made to the image of this glorious 'axis of hope' than has been done in the last six years.

It's too early to call the cards, but one thing is decisive -- the people of the United States have made the right decision. At the international level, at least, if not anything else, America will now have the opportunity to gradually re-gain the lost pride. The 'axis' will finally change from 'evil' to 'good' in Washington. For this alone, the people of America deserve a round of applause from the international community. Thank you America.

**Shahbaaz Kalandar**  
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# An unexpected walk to uncertain destiny

সংস্রাভ ও দুর্নীতিগ্রস্ত  
রাজনীতি পিছনে ফেলে  
অর্থনৈতিক ও সামাজিক  
অগ্রযাত্রা অব্যাহত রেখে  
গণতান্ত্রিক ও আলোকিত  
বাংলাদেশ গড়ার প্রত্যয়ে  
তত্ত্ব নাগরিক উদ্যোগ

ফিরিয়ে  
আনো  
বাংলাদেশ

এর  
ওপেন কনসার্ট

১ ডিসেম্বর ০৬  
ককশার, দুপুর ২-৩টা  
স্বাধীন পল্লীর উন্মুক্ত মঞ্চ  
বাংলাদেশ (প্রিয় ও স্বাধীন)

People of this country are politically conscious as well as peace-loving. But they went against dictatorship, protested military autocracy even laid down their lives in order to regain democracy that, meanwhile, is passing its 16 years of achievement standing on the sacrifice of Nur Hosain, among others. But now what is the state of our recent politics?

Has our democracy grown up more than before? No, we could not yet overcome the influential's hold and confrontation in our political arena. We also failed to replace the existing zero-tolerance of our political parties with the patience of honour. On the contrary, we have to watch the pathetic scene of political clash in the streets.

A man with minimum sense of humanity can never speak of killing men thanks to political occupancy. This time we are going through the period of Caretaker Government.

However, we gravely oppose the presidency leading the interim government, but the prevalent mistrust and impatience of the parties provided a room for the president to take over captaincy of Caretaker Government.

Now the overall situation of our politics shows the nation on way to an uncertain destiny. It's high time for the president to endeavour his best to sincerely give the people a free and fair election, bringing a consensus among the parties.

**M Alauddin Ansary**  
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