

Loan defaulters' poll participation

BB circular for legal steps must be followed

LOAN defaulters have used many legal loopholes and clever manipulation of the law to protect themselves from prosecution and also to get further loans from banks. Regrettably, they have used High Court stay orders to delete their names from CIB list of the Bangladesh Bank (BB) in order to make themselves eligible to participate in national elections. This must be prevented this time around.

In this regard we are heartened by the latest BB circular issued on Tuesday, asking all commercial banks to take strong measures to prevent loan defaulters from contesting in the coming polls. The BB observed that loan defaulters hire high-priced lawyers and get stay order from higher courts using legal loopholes that allow people otherwise ineligible to contest polls. Two things happen here. First, bank loans end up financing elections campaigns, and second, loan takers pay no heed to the need for repayment since they can count on getting stay order to save them.

It has been a frustrating experience seeing large loan defaulters paying no heed to financial discipline and/or to the need of stopping their profligate spending habits ending up being our public representatives. As the BB circular makes it amply clear, this step has been ordered to prevent a number of identified loan defaulters who, before every election, are known to get stay order from High Court to strike out their names from CIB list. We fully agree with the BB suggestion that commercial banks should hire competent lawyers to appeal for the vacation of stay orders.

For years now we have been reporting against the issue of loan defaulters. We have always differentiated between two categories of defaulters – the genuine and the willful. We are in favour of extending all sorts of help to those businessmen, who, for circumstances beyond their control, and who with good track record of repayment, suddenly default in loan repayment because of genuine reasons. It is the latter category that has harmed our financial sector and distorted the economy. In all probability, it is this group which wants to further their clout by getting elected as MPs to increase their ill-gotten wealth.

We must take all measures to stop this group from standing in elections. We welcome the BB initiative and urge the Election Commission to also take a firm decision on this matter. Finally our appeal is to our higher judiciary to be absolutely certain that defaulter are not taking advantage of legal loopholes.

Annan's parting comments

Questioning US role in world affairs

WHAT Kofi Annan could not say while in service as the head of the United Nations, he said in his parting speech, while commenting on issues like the Iraq War, the Middle East crisis, and the role of the US, particularly of the Bush administration, in the world diplomacy. Failing to fight the aggressive superpowers from having their way in the past years, an exasperated Annan thus lamented, "Today, the Middle East faces grim prospects, and is more complex, fragile and dangerous than it has been for many years."

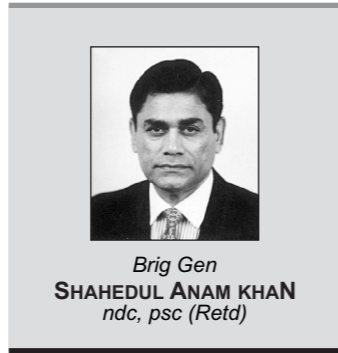
Kofi Annan's disapproval of some of the US foreign policies is now well known. He, quite expectedly, took a job at the superpower's foreign policies, particularly those pursued since the much-trumpeted War on Terror and invasion of Iraq. He was cautiously candid when he said that the US had confused its friends by compromising core ideals in the War on Terror. He went on to say that when the US abandons its own ideals and objectives, its friends abroad naturally get confused. He did send signals to the right quarters with those few words and we were not surprised when his fierce critics in the US Congress immediately brought up the issue of corruption in the UN and some of its policies that did not work out well.

It is understandable that his frustration stemmed from the fact that the organisation that was created to prevent and solve international crisis, to mediate between conflicting countries, and undertake humanitarian works in strife-torn areas, was elbowed out by the superpowers of the world on their way to fulfilling their own agenda. Iraq War and keeping the Middle-East crisis in a limbo are glaring examples of such disregard for world opinion.

Kofi Annan, however, acknowledged the failure of the world community to settle the Arab-Israeli conflict that was the root cause of strife and resulting instability in the entire region. He urged the international players to take a regional and just approach through promoting "unconditional and open-ended talks" to resolve the conflicts between Israel and Palestine. But it remains to be seen how much his plea will fall on kind ears now that he is on his way out.

Kofi Annan will perhaps go down in history as a very frustrated former UN Secretary General.

The curse of interesting times



CONTRARY to popular belief, "may you live in interesting times" is not a Chinese proverb but like many American concoctions it is one such fabrication, and as per records: "In a speech in Cape Town, South Africa, on June 7, 1966, Robert F. Kennedy said, 'There is a Chinese curse which says, 'May he live in interesting times. Like it or not, we live in interesting times...' Journalists picked up the phrase and it has become a commonplace."

And like it or not Bangladesh is living in interesting times too. It seems that we are neither short of interesting times nor spared the agonies of it. And everything that has gone wrong today in Bangladesh has to do with the way our democracy did or did not function.

We have had democracy in its complete manifestation at least over the last fifteen years, yet one cannot say with any degree of conviction that we have enjoyed the benefits that a demo-

cratic dispensation is supposed to provide the people.

And all that we have witnessed in the past eight weeks in particular, have to do with "upholding the principles of democracy" or "ensuring the voters' rights" or some such imaginative and even poetic phrases that have more to do with upholding the interest of the political parties rather than that of the voters. In fact our miseries are very much the product of the nature of politics in Bangladesh. Our politics today is hostage to several complexities, which with political will we can still do away with.

To start with, the highly visible if little publicised, is the reflection of the mutual animus between the leaders of the two major political parties in our political scene. When the two top leaders are not even willing to acknowledge the presence of the other in a public gathering much less willing to talk to each other, should it surprise us that the major political issues are approached in the same psyche

STRATEGICALLY SPEAKING

It is important that the deployment of the armed forces is neither used to convey any message to any particular political party nor to chastise it. But in saying this, one could assert with some degree of confidence that the armed forces would not suffer anybody's fool and they would be working strictly in non-partisan and objective manner in these circumstances. They would not be willing to follow the list drawn up with a political bias, while going for the criminals.

of animosity and distrust?

In fact, it would not be wrong to say that our politics today is really a hostage of the personal relationship of Khaleda Zia and Sheikh Hasina. Why can't they rise above personal consideration, as any leader worth the name should, particularly under the present situation, where the prospect of election within the scheduled time is becoming increasingly remote? And with this uncertainty are many attendant issues that make the future scenario ambiguous and dangerous, particularly from the state security point of view.

The two-in-one Mr Iajuddin Ahmed has made the times even more interesting because of his very inept handling of matters. We do not know what action is being taken under which hat and why. The uncertainty that we have been plunged into with the non-fulfillment of the package deal, which was broached by him in the first place, and it was he that put the spanners in the works of his advisors that he had

tasked to see the deal through. In fact he went back on the issue of Mr Zakaria, an issue that had already been resolved. The resignation of four advisors was due not only to his autocratic way of functioning but because of his fickle mind, too.

Being back-seat driven, the chief advisor-cum-president is wittingly or unwittingly using his position to which he has been thrust more by design than accident. He is working in a manner that will ensure that power does not get out of the hands of those that put him there. And that he is not his own man is clear from the way the military was called out, ostensibly in aid of civil power.

Of course it is the president's prerogative to call out the armed forces, but we are not certain whether the objective conditions that demands such a deployment were obtaining when he decided to deploy the military. In the three days that the military have been deployed, we have not seen it employed to quell any violent situation nor has there been a

situation that had existed before their deployment that had gone beyond the capability of the law enforcing agencies. Thus the motives can be questioned certainly, and it was precisely this that was the immediate reason for the resignation of the four advisors.

Now that the military is out and they have done very little since then it would be in fitness of things to ensure that the peaceful environment that is so much essential for a free and fair election is ensured with the help of the military. There is disturbing news that a large quantity of small arms and weapons has already come in and there are large stockpiles of the same waiting to be sent inside Bangladesh.

We also know of many known criminals in the pay role of the political parties that were in hibernation, some across the borders, have come in or are waiting to do to take the advantage of the present uncertainty. Therefore, a countrywide arms recovery and netting of the known criminals must be undertaken without delay.

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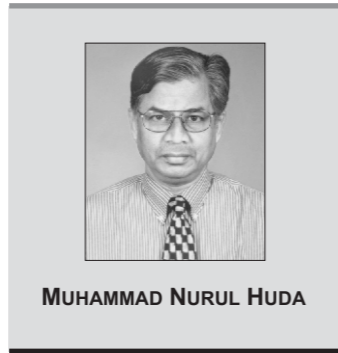
Our politics is also, regrettably, hostage to the politics-criminal nexus (more of it in the future). The way convicted criminals have been inducted in the political parties go to reconfirm the unholy link between the two in our country. Although it is not a state unique to Bangladesh only, the space provided to them by legalising their presence has desecrated politics and has kept honest people out of it.

In the midst of all the depressing developments, the only redeeming feature was the sharing of platform by the secretary generals of the BNP and AL provided by the civil society forum while presenting their recommendations on politics and political reforms to the public. It was indeed heartening to notice the wise words flowing from the two leaders, wise words which if implemented would deliver us from the political morass. Because, without political reforms our politics will remain hostage to black money, criminals, muscle power, and corruption.

And till such time that is done, we, unfortunately, will continue to suffer the curse of interesting times.

Brig Gen Shahedul Anam Khan ndc, psc (Retd) is Editor, Defence and Strategic Affairs, The Daily Star.

The bound and blinkered advisers



THE premonition of the discerning observers has come true and the inevitable has happened. The four upright and conscientious caretaker advisers have tendered their resignations on apparently cogent grounds. Their move does not come as a surprise because in the recent past they expressed their discomfiture and annoyance by not attending their offices on a particular day. That the council of advisers was not functioning like a collectively accountable and responsible body was abundantly clear from the earlier decision to deploy the armed forces. The President, who retains the Home portfolio, it now appears, took that decision unilaterally and was later compelled to rescind it. That fiasco was credible evidence of a lackadaisical atmosphere in the corridors of power if at all any proof was necessary in this regard.

The Honourable President was not keen to effectively display and demonstrate his chief advisory role. Since the principal functionary during the Caretaker dispensation is the chief adviser, it was only proper that the Chief

STRAIGHT LINE

In Bangladesh today too many individuals who are willing to compromise and temporise surround us. We have in our midst far too many "boneless wonders." With such men expediency is all. A person who has the courage not to submit or yield is like a rock in the wilderness of shifting sands. The nation need not feel dejected as such inspiring rocks are still there to lift us from the gathering consummation of ruin.

Adviser's Office at Teigaon gives the appearance of an operational outfit. In reality, the president-cum-chief advisor held office there on hardly two or three occasions and thus the sheer physical preeminence of the chief advisor's office did not materialise. Consequently, the council of advisers remained a disjointed and uncoordinated body. It was indeed difficult to communicate with a ceremonial and unresponsive Bangabhaban, the official residence of the President.

The deployment of armed forces personnel by the President against the counsel of the advisers has been the immediate cause of the resignation although there were some other areas of disagreement too. Such deployment is a major administrative decision and could not be described as routine affair as has been said by a few advisers who unfortunately do not realise its import and implications in our volatile polity. From experience this writer can say that there was considerable heated exchange between the President and the political parties over the time and manner of such deployment of armed forces during 2001

national election.

The presence of armed forces personnel is expected to have a salutary effect on the over-all law and order situation and therefore, there may not be any serious reservation about the extra financial cost on account of unusually early deployment. Leaving aside that the important question that should engage the attention of all concerned is the writ and effectiveness of a civilian government. To be specific, have we reached a situation wherein the civil authority has failed to effectively manage the affairs of the State and called in the armed forces to take charge? If that be so, then there should be an explicit admission of that. This is so because the executive authority of the republic vests in the chief adviser during the Caretaker period. Therefore, the President is not expected to deploy the armed forces for domestic police work without the concurrence of the council of advisers. That the said concurrence is not there has been amply demonstrated.

Some of the continuing advisers have commented that major work has since been completed to ensure a free, fair and impar-

tial election. This is not factually supported. It would appear that these advisers are painfully unaware of the gross anomalies in the voters list. One such anomaly is the media report regarding the absence of 5000 genuine voters in one particular area of the Dhaka metropolitan city where incidentally the acting Chief Election Commissioner is a resident. Such defects and deficiencies are being reported on a daily basis.

In fact, one of the resigning advisers has mentioned that from day one the importance of correct voters list was impressed upon but much headway could not be made to activate the Election Commission for taking corrective actions. It was only after serious external pressure of some very influential country coupled with political agitation and the presentation of credible statistics relating to defective voters list that the Election Commission started the long delayed correction work and that too in a perfunctory manner. Are such scenarios any indication of adequate preparation for holding a free and impartial election?

Concerned citizens have reasons to worry.

Another major area of concern relates to absence of demonstrable action with regard to apprehension of bad hats and the recovery of unauthorised firearms and ammunitions. The members of public do not feel assured from statements that characterise such activities as routine and ongoing. It is for any ordinary citizen to see that the conduction of a national election is not an easy transaction, and that sufficient and serious visible activities are necessary to instill public confidence about the holding of free, fair and impartial election. Nearly one and a half month has already elapsed but preventive actions are almost negligible. The law and order situation shall continue to be a thorny issue if present ground reality and past experience is any guide.

It is a manifest reality that in any group whether that is a family or a body corporate, all members are not gifted to participate and deliberate in equal measure. Our council of advisers is no exception, where some members have done the extra work for which they are suitably equipped and recognised. It must have been the response to a call from within. The way the resignations of the outgoing advisers have been looked upon by our development partners is an eloquent and poignant testimony to their unflinching devotion and upright-ness.

Beyond the above unfortunate resignations what should worry the well-meaning citizen is the

serious challenge now being posed to the concept of a neutral and nonpartisan Caretaker Government. Additionally, there is the uncertainty over the functioning of the interim administration. It appears that the acceptance of a very difficult assignment at a critical juncture and the admirable integrity and diligence to honour a constitutional obligation has gone in vain.

The immediate future seems to belong to the doomsayers rather than the cheer-mongers and the malady of degeneration of conscience seems prone to aggravation. However, if our basic freedoms are to survive it is vitally important that the constitution must not be seen as a structure of fossils like a coral reef that enables politicians to play the vicious game of power. The constitution is meant to hold the country together. In the recent event of transfer of political power, the letter of the constitution has somehow been satisfied but the spirit is buried deep.

In Bangladesh today too many individuals who are willing to compromise and temporise surround us. We have in our midst far too many "boneless wonders." With such men expediency is all. A person who has the courage not to submit or yield is like a rock in the wilderness of shifting sands. The nation need not feel dejected as such inspiring rocks are still there to lift us from the gathering consummation of ruin.

Muhammad Nurul Huda is a Daily Star columnist.

Steep course to Utopia

Dr Yunus insisted that peace was an essential pre-condition to progress and prosperity of any nation worth its name. The political turmoil currently obtaining in the country, in his opinion, would terribly affect the national economy. The blockade program being pursued by some political parties would further aggravate the waning situation. Yet some other political parties pursuing agitational programs in the streets against the first group were doing nothing better to avert serious confrontation.

KAZI ALAUDDIN AHMED

WE may recall the reception given at Bangabhaban to Nobel Laureate Dr Mohammed Yunus, by the President and Chief Adviser of the Caretaker Government, Prof. Iajuddin Ahmed, in the first week of November. The second civic reception was given to him by the city Mayor Sadeque Hossain Khoka on November 29. On both the occasions Professor Yunus expressed deep concern about the present political situation in the country. In reply to the presidential address of felicitation at Bangabhaban Professor Yunus was profusely enthusiastic about the prospects and possibilities of

a more forward-looking Bangladesh in the days ahead. He thought that, subsequent to the winning of the highly prestigious international award like the Nobel Peace Prize, our national responsibilities to keep this rare laurel aloft in the coming days had increased manifold.

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against the first group were doing nothing better to avert serious confrontation. Dr Yunus opined that unless there was a consensus among the conflicting political parties the country would remain plunged in absolute uncertainty. The situation could not be allowed to deteriorate. So, Professor Yunus repeatedly exhorted the president and chief adviser of the caretaker government to conduct the affairs of the country firmly, without fear. He urged upon Prof Iajuddin to "talk to all but listen to none." The president and CA would have to take decisions as he would himself think right and desirable.

The first option of "talking to all but listening to none" sounds a funny proposition on the face of it,

yet it could be a very shrewd contrivance on the part of its ultimate dispenser, i.e. the president and CA of the caretaker government. Notwithstanding the eventual intention of the counsel proffered by Prof Yunus, Professor Iajuddin Ahmed has by now proved that he is genuinely incapable of listening to all save his real, very powerful benefactor. It appears that now his moral obligation is to satisfy someone's wishes, even if it is not moral, and in flagrant violation of his oath of office. Professor Yunus' earnest entreaties with the man, till now, have not created any positive impact. Evidently, those inspiring words could not, so far, generate in the president the required moral strength to unchain himself from the hideous shackles and to act judiciously.

The civic reception in his honour by the City Corporation at the personal initiative of Dhaka Mayor and President of City BNP offered Dr Yunus yet another good opportunity to make some innovative suggestions to contain the present political crisis in the country. He proposed a 7-point peace treaty which envisaged, among others,

formation of an all-party government. One essential pre-condition to be stressed in the peace proposal is that both the 4-party alliance and the 14-party alliance will have to agree, at the first instance, to participate in the general election. For the purpose of having a free, fair and peaceful election the draft plan has provision for an election consultative or advisory committee which would keep on advising the caretaker government till the holding of the election. And subsequent to the election the alliance securing highest number of seats would be entitled to have the prime minister from its alliance, and the second highest would have the seat of a deputy prime minister. The cabinet thus formed would have one-third of the ministers from the second group.

There are other pre-conditions in the peace plan which, inter alia, suggests a one year term initially, but under no circumstances it will be over two years. In other words, this will be a purely provisional government which will have to carry out numerous curative measures jointly for some specific areas of

national importance including total reorganisation of the election commission, crusade against corruption, saving Bangladesh Biman, salvaging Chittagong port from mismanagement, improvement of power generation, containing terrorist activities, facilitating more and more foreign investments.

Indeed Professor Yunus has made a most laudable proposition. Yet, we have our doubts and reservations about the possibility of implementation of such an ambitious plan. There is, however, no doubt that it is born of a genuine anxiety that must have been fiercely tormenting this noble soul. But the viciously ostracized mindset of the people who shall be involved in the process of implementation wouldn't allow the plan to be realised.

In this particular connection the Nobel Peace Prize winner could perhaps afford himself a quick reflection of the response he could get to his earnest entreaties with the president on November 6 at Bangabhaban. Dr. Yunus actually insisted upon Prof. Iajuddin Ahmed to prove

that he was neutral and non-partisan. The events over the past couple of weeks do not bear testimony to his neutrality in any manner. On the contrary, all his actions so far continue to remain mysteriously clouded. Even the topmost gentleman in the judiciary has also been trapped in the same ignominious trend by his unprecedented intervention in the proceedings of the High Court bench hearing the writ petitions against the president filed by Awami League general secretary and coordinator of 14-party alliance MA Jaalil and others. Like all common citizens Prof. Yunus would also be terribly shocked. If men in the highest positions can play such surreptitious roles to patronise one at the cost of another, the state of the lower echelons must be far more abhorrent.

So, let us at first make an effective dent in the fabric of the large-scale corruption viciously infesting our political activists. Let us envision a comprehensive social program in line with those of different socio-economic groups to root out the marauders

and move towards creating a really congenial situation as would fulfil your dream Dr. Yunus, and our dream in fine. Till then let us not despair, and instead work relentlessly for the ultimate goal with hope and a sort of robust optimism. Professor Yunus may, in the meantime like to see the observations of Professor Zillur Rahman Siddiqui, Ex-Vice Chancellor of Jahangir Nagar University in his illuminating article in Prothom Alo on Saturday December 2, and consider a realignment of his peace proposals.

Kazi Alauddin Ahmed is a management consultant.

CORRECTION

In yesterday's PCP page, the article "Why do birds sing" was erroneously credited to Rokia Afzal Rahman. The author of the article is actually Dr Timothy DeVogd. We regret the error.