

Arms recovery drive

Make it fool proof

THE law enforcing agencies should straightaway launch a campaign to recover illegal arms and weapons. It will not be a day too soon to commence the operations today in view of the forthcoming election. And the operation must be conducted on two prongs. One, the end users of illegal weapons be gone after, and secondly, all actions must be taken to turn the supply tap off by strengthening border monitoring. We feel that time is of essence in this case.

There are alarming reports that have appeared not very long ago in the media of large quantity of small arms having already found their way inside Bangladesh and that a large stockpile is awaiting delivery though illegal means from neighbouring countries. It will be well to keep in mind that illegal weapons are smuggled in dribbles, but while inside Bangladesh they are collected at nodal points before dissipation and dispersal to their final destination. Therefore, it is vital that these weapons are intercepted before they can find their way out into the hands of the retail users. Thus the major thrust that must be undertaken immediately is to enhance border surveillance and preempt the bulk from being distributed, near the border areas. One can then go after the end users of the illegal weapons. The big fish that deal in illegal weapons must be nabbed too.

Effective management of our borders requires the active cooperation of our neighbours. There is a need to share intelligence and data if we are to make our border safe and recovery drive effective. The need to interact more extensively with the neighbours in this matter is very urgent.

It is important that supervision of the borders are strengthened not only to stop the influx of illegal weapons but also to apprehend the large number of criminals and miscreants that had crossed over to neighboring countries and are now planning to return in order to influence the election through money and muscle power.

But there is also a word of caution that we feel constrained to sound. The recovery drive must cut across party lines, and the arrest of alleged criminals and illegal dealers must not appear to be selective. Neither should there be any excesses in the recovery process. We also understand the public are also being asked to be deposit to the police licensed weapons held by them. While there is no doubt that the legality of all weapons issued officially must be verified at this time, whether the genuine owners with valid documents should be deprived of the possession of their weapons is something the government should think about, and reconsider.

Sen and Yunus echo similar concerns for women

A fillip given to their causes

VISITING Nobel laureate Amartya Sen has lauded the role of women's agencies of Bangladesh for their efforts in opening new vistas for establishing equal rights for women in society.

While speaking at the Salma Sobhan Memorial Lectures he, however, stressed the point that while working on the social aspects of empowerment the agencies also need to focus and act on the various other factors that lead to subjecting women to unequal treatment.

Prof. Sen noted that in recent years, women's access to independent income, job opportunities outside their homes, and literacy has markedly increased. But so much more needs to be done to let them turn a corner. Indeed, Prof. Sen rightly points out that no agency can ignore the urgency of alleviating many inequalities that continue to blight the overall wellbeing of women.

Both Prof. Yunus and Prof. Amartya Sen appreciated the role of Ain-o-Salish Kendro (ASK) in helping the poor with legal aspects and called for active participation of local government agencies in resolving disputes. Prof Yunus urged the ASK to continue to provide legal help and assistance to the clients of Grameen Bank.

It is indeed a matter of pride not just for the ASK but also for the entire nation to be lauded and hailed by no less a person than a Nobel laureate from a friendly neighbouring country for Bangladesh's commitment to women's rights and their economic empowerment.

Let the voices of the Nobel laureates be our guiding spirit and let our actions on the ground be our tribute to them. This country has but a few success stories to its credit on a national scale and hence let us continue to carry the torch forward in the years ahead.

Beyond the frills, let's have real reforms

GROUND REALITIES



SYED BADRUL AHSAN

There is a major contradiction that is in need of removal or neutralisation. And that step is again a universally accepted, certainly more credible one: where no candidate is able to obtain the electoral support of at least fifty percent of the citizens, it is in the fitness of things for a second round of voting to be arranged between the top two vote-getters.

BEYOND all these vexing questions of credible elections being an imperative, across all this endless talk of who might ascend to power and who might fall behind, there is the very crucial question of what we in this country mean to do about deepening our democratic roots. And that is when you run into this huge question of whether the political classes in Bangladesh are ready to come forth with the reforms that the country has been in need of for an inordinately long period of time.

When you observe the malaise of dynastic politics burrowing its way not only through the political parties but into the edifice of government as well, you are rather roughly, somewhat rudely, reminded of the myriad gaps, which yet characterize the system of pluralistic politics in this land. You can be sure that these are gaps that have been growing wider and getting deeper. In consequence we, as citizens, have been left feeling a tad uneasy

about the path democracy may or will take in Bangladesh unless, of course, some people seriously come forth with ideas of reforms to be placed on the political arena.

Observe, if you will, the terrible burden that has nearly always left our national politics paralysed through the preponderance of Article 70 of the constitution. If you thought that your lawmaker, the one you elected in the last round of voting, would march bravely on in defense of your interests to a point where he could even end up taking a position at variance with that of his own party, you were wrong. This very constitutional provision we speak of takes away with one hand what the constitution in broad outline has given to every citizen with the other. More precisely, and worryingly, it leaves local and national interests subservient to the authoritarian will of the political parties represented in parliament. It is the party that matters; the individual lawmaker is a being of little substance.

It is here that you need reforms immediately, which, of course,

can come through a conscious, well coordinated program for repealing Article 70, thereby allowing Members of Parliament to express their will freely in the House without any fear or apprehension that such exercise of freedom will result in the loss of their membership in the legislature. If Article 70 is debilitating, and it clearly is, it has to go. Unless it does, all these professions of democracy that politician's mouth with increasing frequency these days cannot but end up being plain pretentious behavior.

Moving beyond Article 70, there is that other factor that has regularly stymied an uninterrupted flow of democratic waters in the country. The first past the post system, where elections to the various local and national bodies are concerned, has outlived its usefulness, to say nothing of losing its appeal. And naturally too, for the simple and yet loaded reason that it often militates against an expression of the popular will itself. Any candidate or party getting elected by less

than fifty percent of the votes, which may be the highest compared to the support garnered by his rivals, is nevertheless a poor way of demonstrating the power of democracy. Even where a candidate secures forty nine percent of the votes at the elections the truth remains unassailable -- that he has not acquired majority support in popular terms and so cannot claim to represent his constituency.

There is a major contradiction that is in need of removal or neutralisation. And that step is again a universally accepted, certainly more credible one: where no candidate is able to obtain the electoral support of at least fifty percent of the citizens, it is in the fitness of things for a second round of voting to be arranged between the top two vote-getters.

The issue here is a good deal more ethical than political. An elected public figure will be doing himself and his constituency a load of disservice if he climbs to that position without being the chosen nominee of a majority of the people. Extend the idea to

include the manner in which a political party can take its place in the Jatiyo Sangsad.

The elections of October 2001 were proof of the contradictions inherent in the political system, as it happens to operate at present. The Awami League, despite having obtained popular vote to the tune of forty one percent, which was more than what the Bangladesh Nationalist Party could come by, watched this support get whittled down by the first past the post system.

It was a bizarre condition at play here. While the highest number of voters countrywide chose the Awami League as the party they wished to see in office, the quirkiness of the system saw the party or alliance with less public support form a government for the country.

These and other ludicrous, even mind-boggling manifestations of politics ought to be rolled back in line with the demands of modern democracy. That looks like a job that can easily be done, through launching of reforms of the parliamentary representation system. The example here can be derived directly from the German political framework. To be represented in the legislature let there be a threshold below which a party cannot lay claim to seats in the Jatiyo Sangsad.

The Germans have five percent of the votes obtained as the benchmark for parliamentary representation. Either that figure or something similar to it can be

mulled over here in Bangladesh in relation to the composition of a newly elected legislative body. And once that is decided upon politics can move on to the next phase, which is an apportioning of seats in parliament to the political parties on the basis of the popular vote earned nationwide by them. We are talking proportional representation here. That way the chances of pluralism developing more flesh on its bones are increased. Democracy takes centre stage in a fairly acceptable, if not perfect, way.

But all of these reforms, or suggestions pertaining to them, rest, in the final analysis, on the restructuring that the nation's political parties are willing to inaugurate within themselves. A condition where the president of the Awami League, the chairperson of the Bangladesh Nationalist Party and the chairman of the Jatiyo Party remain omnipotent, enabling them to skirt around internal party elections and so exercise the power to impose decisions on their followers, is detrimental to the nation's health. Do not expect a democratic order in the country to arise out of the mist prior to an end of the insularity that has come into the workings of its political parties.

Reforms, did you say? A beginning must be made somewhere, obviously.

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All's well that ends well

BARE FACTS



M ABDUL LATIF MONDAL

Politics in Bangladesh has become a lucrative profession. Election as MP brings power, money and influence. So, the question often asked by the people is: will it be possible to free the ensuing election from the influence of black money and muscle power to enable persons known for their honesty, efficiency and erudition to contest and win the election?

THE Awami League and its allies have decided to participate in the general election of members of parliament scheduled to be held on January 22, 2007. This is heartening news at this moment, when the people have become skeptical about the holding of the forthcoming general election due to the confrontational politics of the two political alliances led by the two major parties, BNP and AL, and are worried about the fate of the nascent democracy in the country.

What led to the uncertainty in holding the forthcoming general election, when the previous general elections under the non-party caretaker government (CTG) were held largely peacefully, fairly and impartially?

The causes and circumstances that primarily led to these uncertainties are:

- Increasing the retirement age of judges of the Supreme Court from 65 years to 67 years through the 14th amendment (2004) to the constitution to make room for Justice KM Hasan, the secretary of the international committee of the BNP during the regime of President Ziaur Rahman, to become the chief adviser to the CTG as the last retired chief justice, ignoring the strong protest by the main opposition AL.

- Appointing Justice M A Aziz as the chief election commissioner (CEC), and two new election commissioners loyal to the BNP-led alliance ignoring the opposition parties' demand for appointment of the CEC and other election commissioners in consultation with the political parties.
- Khaleda Zia's backtracking from her proposal, made in the capacity of prime minister and leader of the house, in the 2006 winter session of parliament for constituting a bilateral committee comprising members of BNP and AL to discuss the proposals placed in the House by the leader of the opposition Sheikh Hasina for reforming the CTG, the Election Commission (EC) and the electoral laws, and instead holding a one-to-one dialogue between the secretary general of BNP and the general secretary of AL. This ended in complete failure primarily due to BNP's dictation to its secretary general not to discuss reconstitution of the CTG.
- The EC's failure to update the voter list in line with the High Court order, and the unusual rise in the number of voters.
- Following the refusal by Justice KM Hasan to head the CTG, the assumption of the office of the chief adviser by President Iajuddin Ahmed, in addition to his own functions, without exhausting constitutional options available for appointment of chief adviser, and his distancing himself from his colleagues in the advisory council and adopting the policy of going alone.
- Resignation of four members of the advisory council, who are outstanding personalities in their respective fields, over difference of opinion with the chief adviser, and rejection of the four new advisers by the AL-led combine alleging their leaning towards the BNP-led

alliance.

- Going on leave of CEC MA Aziz only, and staying in office of two other controversial election commissioners in violation of the package deal.
- Declaring the election schedule early, without properly updating the electoral roll and printing and circulating it.

Thanks to a series of negotiations, for over one and a half months, between the council of advisers to the CTG and the two major political alliances, the advice and urgings from the civil society members and the media to the two major political parties, and the realization by the political parties that there is no alternative to election have helped overcome the crisis and create a favourable atmosphere for participation of all political parties and political alliances in the forthcoming general election.

Why an election? T. N. Seshan, a former CEC of India, summarizes the need for election in his book "A Heart Full of Burden" (1995). He writes: "An election is the only thing which produces checks and balances

during the administration of democracy. An election is the only thing, which produces accountability. An election is the only method, which delineates alternative systems of policy ideas. It evaluates performance, it enforces accountability, it exposes the evils of society."

But one may ask whether a general election in Bangladesh really evaluates the performances of the party or the alliance that goes to power. Does an election in Bangladesh enforce accountability of the elected representatives and the government? Does an election really expose the evils of the society in general, and of the elected representatives in particular?

Politics in Bangladesh has become a lucrative profession. Election as MP brings power, money and influence. So, the question often asked by the people is: will it be possible to free the ensuing election from the influence of black money and muscle power to enable persons known for their honesty, efficiency and erudition to contest and win the election?

In order to help the voters to know about the background of the candidates and vote for the honest and efficient ones, the High Court on May 24 2005, directed the government and the EC to make it mandatory for the candidates of parliamentary elections to furnish certain vital information to the EC along with their nomination papers.

The personal information to be furnished by a candidate included, among others: (1) the

candidate's educational qualification, (2) whether he/she is accused in any criminal case, (3) his/ her profession/occupation and source, or sources, of income, (4) statement of assets and liabilities of himself/herself and of his/her dependants, and (6) particulars of loan taken from bank/financial institutions personally, jointly or by dependants.

But the High Court order has recently (December 19) been stayed by the vacation bench of the Supreme Court. This has come as a great shock to the people in general, and the civil society members in particular. The members of the civil society expressed their frustration saying that the stay order will be convenient for the unscrupulous candidates with muscle power and black money to get elected. It will adversely affect the prospect for a transparent election and discourage honest persons to contest election.

To conclude, with the uncertainty of holding election to the 9th parliament with participation of all political parties and alliances being over, the onus is now primarily on the advisory council to the CTG, the EC, the field-level officials namely returning officers, assistant returning officers and presiding officers, and the law enforcing agencies to hold the election peacefully, fairly and impartially to receive acclamation from home and abroad. The famous saying goes: "All's well that ends well."

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West Bengal on the wrong track?



PRAFUL BIDWAI writes from New Delhi

The Left Front must not sit on prestige on Singur, as Chief Minister Bhattacharjee has been doing. It must radically revise the Singur land acquisition plan; even if that means the Tatas have to relocate the project. Far too much is at stake for the owners of a car factory to be allowed to dictate terms.

of land, and 12,000 livelihoods are at stake. Given that it is 45 km from Kolkata, people know that its land is valuable, especially the 30 percent (according to one estimate, two-thirds) of the total that is multi-cropped.

Some want higher compensation than the governments offer (Rs 6 to 8.9 lakhs an acre). The political right and the far left have focused on their discontent.

The Communist Party (Marxist), the Left Front's leading component, claims that the landowners have consented to sell 954 of the 997 acres. Chief Minister Buddhadeb Bhattacharjee dismisses all protesters as "opponents of Bengal's growth."

However, the government's own Singur status report (The Times of India, Dec 16) says that prior consent for land purchase

was obtained only for 586 acres -- on the day the government started fencing off land.

It had no consent for acquiring the rest (411 acres). It imposed the Land Acquisition Act, 1894 (LAA) -- a colonial law that the left rightly opposes!

The LAA permits forcible acquisition for public purpose, but the Tata factory fulfils no public purpose. The government shouldn't have agreed to procure land for the Tatas, rather it should have asked them to buy it themselves.

In other states, the left opposes such government mediation and acquisition of multi-cropped land for SEZs.

The front government claims it is paying Singur's landowners more than the market rate. Usually, less than half the market

price is legally registered. Recent purchases suggest Singur land could be worth Rs 30 lakhs/acre.

The bulk of Singur's land belongs to absentee landowners, and is cultivated by sharecroppers (Bargadars). These will get just 25 percent of land value even if they're registered under the "Operation Barga" land reform.

If they aren't registered, as happens with large-scale programmes, they'll get no compensation. Their number is estimated at 250.

Even if they're brought into the net, they'll still get meagre compensation. As for the 1,000 or so landless agricultural workers and blacksmiths, mechanics and barbers, the prospect is worse: getting wiped out without compensation.

Singur's land transaction model will have a profoundly negative effect in West Bengal. "Operation Barga" reduced the landlord's share in the harvest to one-quarter or one-third. Singur will reverse that ratio -- a counter-reform.

The Left Front will have turned its back on the biggest land reform agenda in Bengal in three decades!

To make matters worse, the front government has bypassed the village panchayat -- violating Article 74 of the Constitution. One must criticise Mamata Banerjee for her right-wing politics and opportunism. But that doesn't exonerate the front.

The left should know that land is at the cutting edge of today's class struggles; it shouldn't be on the wrong side of the divide. The left had the responsibility -- and opportunity -- to create a model of consensual, humane land acquisition and rehabilitation at Singur. This would have redeemed its indifferent rehabilitation record.

A recent study finds that West Bengal has rehabilitated only 9

percent of those displaced by the Damodar Valley and other development projects since the 1950s. This is far lower than Andhra's 28 percent, Orissa's 33 and Goa's 34.

The Singur paradigm will be applied to 40,000 acres to be acquired nearby for other projects, including SEZs and industrial parks -- of the kind the left opposes elsewhere. The government has requests for a total of 125,000 acres.

One favoured applicant is Indonesia's Selim group, known to be a front for the super-corrupt Suharto family.

Singur's significance doesn't end there. Singur is a concentrated expression of the pattern of development the Left Front has embraced in Bengal. This model is dominated by private capital, and is weak on social development.

The front seems desperate to attract private investment, including foreign investment, at any cost, irrespective of whether it generates employment, or contributes to public welfare.

This means that the front is essentially adopting the neo-liberal model in which the corporate investor calls the shots and sets the market rules, leaving elected governments helpless in directing investment into desirable areas to maximise public welfare.

The left front vocally -- and rightly -- criticises neo-liberalism and corporate-led globalisation. At the national level, it alone has a coherent critique of economic policies, which are creating havoc through their vicious dualism, widening disparities, and callousness towards the poor.

If the left takes the opposite approach in the states where it rules it will damage its own credibility, and weaken its ability to push the UPA in a progressive direction. This pressure-group role is the central reason why the left supports the UPA from the outside.

India's left parties today enjoy their highest-ever representation in Parliament, and rule in three states. They command credibility and respect far in excess of their

membership. They are well-placed to develop an alternative model of development and industrialisation which doesn't squeeze the peasantry and isn't predatory on the livelihoods of the poorest people.

The Singur model will inflict yet another loss on the left. Over the past decade a healthy coalition has emerged between the left, and civil society groups, grassroots movements, and the radical intelligentsia

The Singur issue has created a rift within this coalition. Unless this is healed, it will weaken all of them and reduce their effectiveness.

The Left Front must not sit on prestige on Singur, as Chief Minister Bhattacharjee has been doing. It must radically revise the Singur land acquisition plan; even if that means the Tatas have to relocate the project. Far too much is at stake for the owners of a car factory to be allowed to dictate terms.

Praful Bidwai is an eminent Indian columnist.