

## Megacity on a Dead River

The Department of Environment, a new-fangled thing not yet accorded any power or importance any government set-up is entitled to, has come up with certain results of a number of investigations they are subjecting this nation's physical and biological situations to. One of these, although not quite a revelation, is a disclosure that calls for very quick attention on a very high national priority basis.

Oxygen is found dissolved in quite sizeable portions in all of the naturally occurring water on the earth. And this is not true of Buriganga on which the megacity of Dhaka stands. The dissolved oxygen, quite a different thing from the oxygen-hydrogen combine that make up the water molecule, accounts for the phenomenon of aquatic life from which all life originated and which forms by far the better part of all living things in the known universe. Plant and animal forms of life can thrive in water having at least four milligram of Oxygen to a litre of it — or four parts in a million. This is we say sizeable for this proportion is enough to sustain everything living in water. Till just the other day we had in the Buriganga an average of 5.7 milligram of oxygen to a litre of water. Now for a certain stretch of this important river, from the Mirpur Bridge to Pagla, the oxygen ratio has come down to an incredible nil. The import of this fact has not, very evidently, dawned upon those who run the nation. Unless the nation's leaderships are dead set on leading the country on to a national suicide, they must heed the warnings in time and act to lead the nation away from the precipice we now almost stand on.

The Buriganga is a very short run of water connecting two branches of the mighty Padma. But on its shores live a tenth of the nation's 120 million population. And a fair share of the nation's industry uses its water and return to it thousands of tons of regularly poisonous effluents every day. For want of any sewage treatment plant, close to a million ton of pollutant finds its way to the small river direct from the bathing and lavatory facilities. Everyday. The result: we are now living on a dead river and soon enough we shall be living on a stinking cesspool.

There are two complementary approaches to revive the clinically dead river and making it what a river always has been — life-giving and culture-spawning. It must be cleaned even as the Thames has been or parts of the upstream of our own Ganges. And its pollution must be stopped by banning industries of all size and kind from emptying any waste into the river and arranging for all domestic human waste to be treated and recycled and turned into fertilizer far away from any river or other water reservoirs.

If the government is serious, this would be no forbidding proposition. How and when can we be sure of government turning sincerely to the Buriganga problem? When we shall see government doing something in earnest about the waters of the Dhamond Lake? Is there any cause for hope in such matters? Hardly. More than 70 per cent of the tens of thousands of motorized vehicles in Dhaka do belch black smoke. The government has miserably failed to come to grips with this flagrantly conspicuous poisoning of the atmosphere. Tagore once wondered if Creator in His endless compassion for the created could forgive those who 'poison His atmosphere and diminish His light'.

The Department of Environment has lamented in self-pity their position of being a paper tiger. The reality is worse. Theirs is possibly a cosmetic presence. This is the society's perception. The government will have to move itself, first of all attitudinally, considerably to change this by grasping the urgent and true challenges to Bangladesh's physical existence.

## Mugging: Cowboy Style

Mugging in this city is nothing new. But there is something new about the carrying out of this criminal practice. One vernacular daily reports that attractive young women are being used to lure unsuspecting men into the trap of the muggers. So the mugging strategy has undergone a noticeable change. In fact, it has followed the pattern of cowboy cinema of the wild west. The threat of fire arms and sex appeal have been shrewdly combined in the fashion of Clint Eastwood to track down the victim. Certainly, it is a departure from the crude style of conventional mugging that depends more on raw courage in the action.

The problem with the people falling prey of such double-pronged attack is that most of the time they do not report these cases to the police stations. Sometimes, the incidents happen in such a manner that before the victim has decided what to do, his undoing has been completed. In such a situation the police also find it increasingly difficult to deal with these muggers of new generation. It appears the conventional training and weapons they rely upon, prove woefully inadequate and obsolete to deal with the better equipped and smarter breed of muggers.

However, it is not that the life for the muggers was earlier made difficult by a remarkable improvement in the service of the law enforcers and that has induced the anti-social elements to invent ways for outdoing the latter even more. In reality, the law enforcing agency are yet to cope with the old-style mugging. The same report says that mugging has recorded an abnormal rise in recent times. Contrary to what was reported earlier, this fresh spurt in robbing people of their cash and valuables in the street may have a connection with the coming Eid festival. If it is not, things are taking a pretty bad turn.

The change in the style of mugging is an indication of more educated young people coming into this illegal profession. Intelligent, and acquainted with the latest sophisticated devices, these muggers can easily outwit the police. The signs are quite clear that in the coming days, more innovative ways will be followed to rob people. So, a better trained and equipped police force needs to be in place to serve the city people. Even the members of the public ought to be extra cautious in detecting the trap laid by the muggers. A mugger-infested city ultimately tells on the people's psychology. It affects business and all other economic activities most adversely. Before the muggers have a field-day, the law enforcing agency should be made competent and capable enough for striking a fatal blow to them.

# The Daily Star Public Debate

## The Proposition is: Should the Next General Elections be Held under a Caretaker Government?

**B**EFORE saying anything about opposition's demand for holding the next parliament elections under a caretaker government, we have to evaluate why the general election of 1991 was free and fair. The reason was because, Awami League was almost certain that it was going to emerge victorious and that BNP was not going to win more than 10 seats. The AL leaders thought that the BNP would be defeated and they (AL) would form the government, and a free and fair election would add to the credibility to their victory.

Why the holding of general elections under a caretaker government was necessary in 1991? Yes, it was necessary then because the democratic institutions were totally destroyed during the autocratic regime of Ershad. The Election Commission (EC) became a stooge of the then government. The elections under Ershad became farcical and did not reflect the will of the people.

The EC was used to give the illegitimate regime, a so-called legitimacy through the process of sham elections. People ceased to have any faith in government institutions. Judiciary also became very much dependant on the desire of the executive and the entire nation including the lawyers demanded the resignation of the then Chief Justice Munim, having become totally frustrated because of the fact the judiciary had lost all its independence.

Therefore, a change in the government was necessary to ensure free and fair elections so that a truly representative government could come to power. The holding of the free and fair elections, which could truly reflect the will of the people, was essential. The removal of the autocratic regime could not be possible through an election under their control and therefore the change was effected by the popular uprising which brought the entire nation and the people together and compelled the autocratic ruler to resign.

It was also necessary to ascertain the respective political position of the different political parties vis-a-vis the support of the people so as to enable a truly representative government to emerge. Hence was the necessity of a neutral caretaker government to hold a free and fair election for the purpose mentioned above and to take charge of the state craft in the interim.

Before this was achieved, the popular movement had already got rid of Chief Justice Munim, and the independence of judiciary was restored following the historic judgement of the then Acting Chief Justice Badrul Haider Chowdhury on 8th amendment. Independence of judiciary having been ensured, it was possible for Justice Shahabuddin who became chief justice on retirement of Justice Badrul Haider Chowdhury to head the caretaker government on the basis of a national consensus. And the stage for restoring the constitutional democracy was set.



Now the opposition is demanding the election under a caretaker government. The answer to their demand is simple: there can be no government more legitimate and more strong than the government elected by the people. Such an elected government cannot be replaced, for whatever reason or for whatever time, by a government having no such mandate from the people. An unelected temporary government can never be stronger than the people's government and because of its unaccountability to the people or to the people's parliament.

**It is inconceivable as to how such caretaker government could takeover each time there was a need to hold by-elections. Yet, no discrimination can be made in the manner of holding such by-elections vis-a-vis the general elections. How could the position be sustained legally under the Constitution that one set of elections to the national parliament is held under a caretaker government, yet another set of elections to the same parliament is held under an elected government. No Constitution can ever conceive such anomaly. Then, again there will start a crisis on the question of the choice of the caretaker government. What BNP will propose, AL will reject, and what AL will propose BNP will reject. The country is bound to plunge into a constitutional crisis to start with, on the question of who will head the caretaker government, and who will be constitute it.**

It is bound to be reckless, partial, weak and irresponsible. Members of such a caretaker, temporary government will only be human and not be infallible.

I would like to refresh the memory of the people about the so-called elections of 1986 under Ershad where both JP and AL accused each other of vote-rigging and vote dacuity. It is an irony that now these are the parties who are talking about free and fair election and showing their concern against rigging and vote dacuity!!

Since BNP has always been coming to power on the basis of free and fair elections, it is BNP's political commitment to hold elections fairly. BNP has successfully proved this in the course of its past three years' rule by holding elections of thousands of Union Parishads, hosts of Pourasabhas and four city corporations and several by-elections to the parliament including that of Magura. We know that the latest Magura by-election has been given a different image by the opposition political parties intentionally to achieve the purpose of installing a weak, unelected and unaccountable government under the name of a caretaker one.

People's affairs including the elections can be taken care of only by a government responsible to the people and accountable to the people, and not by a government which has no root in the people.

Today Barrister Nazmul Huda, Minister for Information and Vice Chairman, Bangladesh Nationalist Party, puts forward his arguments against the proposition.

Interviewed by Chapal Bashar

The AL and the JP know very well that under the strong and right thinking government of the BNP, having no background of rigging elections, the plan of AL and JP to influence the election can never succeed and that is why they don't want election under BNP government. Since they are certain that in an election under BNP, polls will be free and fair and the wishes and will of the people will be truly reflected, and also because of their (opposition's) background and present undemocratic role, they will never be able to come to power under such election.

The concept of caretaker government is not practicable in view of the fact that it is not possible for any government to have it (caretaker government) from time to time to hold by-elections to the parliament. It is inconceivable as to how such caretaker government could takeover each

Justice for the purpose.

The existing Constitution visualises the scheme of popular government accountable to the parliament, and the Constitution itself lays down by several of its articles the manner by which such government can be elected freely. Article 118 of the Constitution provides for an Election Commission (EC) headed by Chief Election Commissioner (CEC) to be appointed by the government for a fixed term of five years. Such an EC can only be removed from office in the same manner as a judge of the High Court.

By article 96, a judge of the High Court can only be removed on the ground of misconduct, by the Supreme Judicial Council consisting of the Chief Justice, and two senior judges of the Supreme Court. In other words, an EC once appointed enjoys absolute security of tenure during the entire term of five years and

slinging, no personal attacks can answer these questions. I would like to mention here that during my recent visit of USA, National Democratic Institute (NDI) did express their desire to hold a survey, and review the election system in Bangladesh. This may be a good idea.

In my view, the following steps will undoubtedly ensure holding of free and fair elections at all levels.

1. The appointment of the CEC by the President may be endorsed by the parliament.

2. More power may be given to the EC to take punitive measures against the officials indulging in malpractices or not carrying out the responsibilities for ensuring free and fair polls. This power may also include the power to dismiss the official engaged in election duties on the spot.

3. The introduction of national identity cards for the

the government in no way can remove the CEC or any member of the EC for whatever reason. This itself gives the EC the required freedom and independence in the execution of its duties and responsibilities under the constitution.

The EC is in the best position, therefore, to ensure free and fair election and if there is any doubt that the EC is not having the required authority to ensure the holding of such free and fair election, this might well be an issue to be discussed by the political parties. In that case the parliament itself can be the best forum for such a discussion.

The Constitution also provides for a remedy against any allegation of an election being rigged or held irregularly. The matter can always be referred to Election Tribunals and within the scheme of the present independence of judiciary, recourse can be had in the ultimate, from the judgement of the highest court. Where do then the street demonstrations fit in?

Yes, the issue can be discussed, there can be fruitful discussion on the question of strengthening the EC, on the question of reviewing the election process, and on ensuring law and order. And for these, it is only desirable that all the political forces meet in a friendly atmosphere and resolve these questions in a spirit of good understanding in the national interest. No mud-

voters which will have extra pages like visa pages in the passports. On presentation of such a card at the time of polling, the presiding officer will inscribe his seal and put initial with date, proving that the voter had presented himself at the said polling station. This will undoubtedly prevent the voter from presenting himself to any other polling centre.

4. On the basis of the number of identity cards, computer will bring out an accurate voters' list. Presently, it is not uncommon to find that a particular person is enlisted as voter at different places. Once a voter has been enlisted on the basis of his identity card number, he can only be enlisted at one place as voter and this will considerably reduce the possibility of vote rigging. Computerisation of voters' list will go a long way in rationalising and streamlining the election process.

5. One of the reasons why elections become unfair is violence which mars the polls. Such violence usually originates in the election camps of the political parties surrounding the polling centres. It is generally seen that supporters and undesirable elements gather in groups in these camps in the name of helping voters' with voters' list. From these camps the conspiracies for rigging and violence are hatched. My suggestion is that there should be no such camps

of political parties. An official camp of the EC may be set up near the polling centre to help the voters in case they need such assistance.

6. In the campaign process also, some changes can prevent generation of heat leading to violence. Some measures have already been taken and the present law provides restriction on erection of gates, putting up of banners, wall-writings etc. These have considerably reduced the possibility of confrontation among the contesting parties. Further restrictions can be imposed on the present practice of setting up election camps of different contestants.

7. Measures may be taken to ensure the presence of polling agents of each candidate in the centres. Any candidate not having such polling agents should not have the right to raise any objection. The presence of polling agents may be institutionalised as a system.

8. A provision may also be made for strictly following the rules to supply a copy of the results in any polling centre, under the signature of polling officer, to all the polling agents immediately after the counting of votes. This system may also be institutionalised.

9. Polling centres should also be established on a more permanent basis in such a way that entry and exit of voters are through different points thereby avoiding any possible confrontation among the persons who have already cast their votes and persons who have lined up for voting.

All the above suggestions along with others may become subject-matters of discussion among the political parties to protect the democratic rights of the citizens for electing members to the parliament. A provision for caretaker government as envisaged by the opposition parties can only confuse the nation instead of solving any problem.

The way the opposition is behaving, one can easily say that for them democracy means rule by the minority and parliamentary democracy means everything happening outside the parliament. This should not continue for long and it is hoped that opposition will sincerely pursue its desire to hold free and fair elections and for that purpose invoke the due role of the parliament to meet such desires. We, the parliamentarians, are people's trust. People have trusted us to think about the nation and to carry out our responsibility in the national interest. And if we fail to carry out such responsibility, this will be a breach of mandate of the people.

It is our sacred duty irrespective of our party affiliation to uphold the cause of democracy and thereby protect fundamental rights of the people. I sincerely urge the opposition political parties to come back to parliament and make it effective in protecting such rights of the people.

**Tomorrow Amir Hussain Amu, Member of Presidium, Bangladesh Awami League, argues in favour of the proposition.**

## Al-Khiyam — a Modern-day Nazi Camp?

Mounir B. Abboud writes from Beirut

**Detainees were allegedly not given adequate medical attention, food, water and other basic necessities**

out any reason given, Mr. Kamel said.

Mr. Kamel and 19 other detainees were later moved to Al-Khiyam. Each cell, which housed 12 prisoners, measures two metres long, two metres wide, and two-and-a-half metres high. The International Committee of the Red Cross (ICRC) reported recently that prisoners in Al-Khiyam live in tents on a hilltop surrounded by barbed wire and watchtowers.

Medical assistance inside the camp was practically nonexistent, according to Mr. Kamel. Water is scarce so that detainees were given only 10 litres a day for drinking and

washing. Showers were forbidden.

A month after, Mr. Kamel was moved to one of two sections of the cap, each containing nine tents.

There, a form of democratic representation was set up in which every tent of 20 detainees elected a leader as well as a "mayor" for the entire prison camp. The representatives would meet ICRC members once a week.

Despite such inhuman treatment, the ex-detainee said morale was high inside the camp because of regular teachings from religious leaders.

their representative, not a particular gender, and democratic Bangladesh is no exception.

For a cost-efficient alternative to the "millionaires' parliament" of this Third World state, which will lead this poor nation toward affluence, divisionalization of National Assembly with accountability to a federal decision-making authority (State Assembly) composed of representatives from major administrative areas — one per district, for instance — may be a topic on state agenda.

As the state of the state indicates now in the "post-au-

As to food, prisoners were given two meals a day after the breakfast and lunch prayers. The menu included two eggs a week, an apple and jam given to every sixth prisoner, a staple diet of beans, potatoes (occasionally), milk every two weeks and tea twice a day.

Assistance from the Red Cross was limited to 1/2 kilogram of cacao, coffee and tea 1/2 kilo of chocolate, a change of clothes, sports shoes, a comb, non-political books, and 20 packs of cigarettes.

Mr. Kamel said many of the prisoners needed urgent medical attention, among them Hmad Ghanem, who has a heart ailment; Mohammad Ghazal, who suffered from a nervous breakdown; and Hamid Karami, whose legs had been amputated.

Mr. Kamel said that when

Israeli guards suspected the prisoners of planning an escape, they fired tear gas at them.

He was released last month from Al-Khiyam.

Meanwhile, to raise Arabs' awareness of human rights, a conference was held recently in Minya, Egypt.

Participants were mostly representatives of different non-government organisations working in Upper Egypt. The conference was organized by the Cairo-based Legal Research and Resource Centre (LRRCC) in cooperation with the Appropriate Communication Techniques (ACT).

It was pointed out in the conference that political systems in the Arab world tend to constrain freedom instead of championing it. Also, it was noted that political parties there are inclined to believe that human rights are a tool of the opposition.

—Depthnews Asia

## To the Editor...

**Caesarean section!**

Sir, UNDP's suggestion to raise women's reserved seats in the parliament to 20% is more than a support to the rights of womenfolk.

Twenty per cent is an eye-opening figure, no matter what difference that number will make on the floor of the House even when the strength of elected female members can be 100%.

This well merited proposition could not be more potent to have satisfied liberating Bangladeshi women bypassing the issue of having sex dis-

criminated legally against the nation's sex ratio (50:50 approximately).

Parliament is the citizens' representative body to mandate the governing laws for the democratic state, and any extra-state interference in its functioning can raise the doubt about its integrity and sovereignty desecrating the exercise of voters' rights as regards the definition of National Assembly vis a vis such an insert by a UN organ.

Just to practise democracy, a government in a state of illiterate majority (about 75%) may not mean what the gov-

ernment in a state of literate majority (over 90%) does.

Bangladeshi government can always turn to school students for solutions to problems, else Caesarean section in the legislative body will hopefully deliver the goods as anticipated for this Delta's promotion from LDC to NIC as long as "competent leaders" are not scarce to fill up the award-winning capital of the people, by the people, and for the people.

Representation in the parliament has to be based on adult franchise which empowers the electorates to choose

their representative, not a particular gender, and democratic Bangladesh is no exception.

For a cost-efficient alternative to the "millionaires' parliament" of this Third World state, which will lead this poor nation toward affluence, divisionalization of National Assembly with accountability to a federal decision-making authority (State Assembly) composed of representatives from major administrative areas — one per district, for instance — may be a topic on state agenda.

As the state of the state indicates now in the "post-au-

tocratic democracy", a political pundit may find his/her brain stormed by so many educational institutes in the country when a high education is not necessary to become a member of parliament, to govern the state, or to get rich even.

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**BBC Dhaka programme**

Sir, BBC opened their Dhaka programme: Morning extension of 15 minutes of the

first day was with a musical collection, majority chosen from India. Leaving Runa's countless originals a number is played cherished in Dhaka for Ferdousi's voice.

Announcers were also not BBC's Dhaka people. Hopefully if Ms Manashi is from Chittagong.

Programme for Dhaka and surrounding area have pronounced non-Bangladeshi flavour. We do not know if BBC is also relayed from Calcutta in FM band.

Haroon Huq  
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