Founder-Editor: Late S. M. Ali

Dhaka, Saturday January 7, 1995

Coloured Newsprint

We have been taken a bit by surprise at the haste with which the government changed its announced policy of supplying coloured newsprint to the print media. Just a few days before its implementation, the information ministry cancelled the decision, reportedly under pressure from a vested group who did not want the matter regularised. The purpose behind, what now appears to be an aborted move, was to stop the open market sale of the subsidised newsprint It is sad but true that a significant portion of the subsidised newsprint, made available for the sole purpose of printing newspapers, is sold at double and sometimes three times the price in the open market. Without going into the details, today it is a self evident fact that a large portion of the allotted newsprint is not being used for the purpose of newspaper publication. This is hampe ring the genuine newspaper publishers, who are being deprived of their required newsprint quota.

We are fully behind the effort of the ministry of information in bringing some sort of clarity and transparency in this matter. Years of political pa tronisation, cronvism and down right corruption vitiate the newspaper publication industry today. Each regime in the past found its own favourite newspaper(s), and played havoc with rules and facts and gave false circulation figures to the ones they liked or which supported them. The false figures justifying false claims to newsprint quota. This must be put to right. It is these newspapers who sell newsprint in the open market.

A group of newspaper owners recently met the information minister and put pressure on him to desist from implementing the aforementioned decision. Whatever may be their objection against coloured newsprint, we are certain that they do not question the need to take all possible measures to weed out the ones who are responsible for unscrupulous business practices in our industry.

We would like to urge the information minister to hold an open discussion with all sections of the print media and resolve the question of adequate supply of newsprint to the newspapers. The unscrupulous business practice by some is also affecting the book publishing industry, especially those meant for school, as they too depend on adequate newsprint supply from the same source The latest crisis, which has affected supply of books to school students should convince all that stern action by the government is necessary. there are problems with coloured newsprint then some other solution has to be found Inaction on this issue cannot be an alternative.

What is a Gift?

Certain buses that transport students of univer sities and other academia carry strange legends. Big and bold-type letters running from one end of these buses to the other proclaim: A gift from the Prime Minister Khaleda Zia.

There are things so petty that people do not care to react to these for fear of becoming smallminded themselves. This gift legend on the buses -God alone knows what benefit it rains on the Prime Minister - were trade marks of autocracy till very recently. An unaccountable dictatorship, clamped through the might of arms and trampling all of citizen's rights, can blur the distinctions between state, government and the de facto captor of state-power. But the same cannot continue in a democratic state.

If these buses were cases of the PM's personal charity, her left hand shouldn't have known what her right hand gave, not to speak of proclaiming it. But this is unlikely. If these buses were paid for with taxpayers' money, the inscription on these buses are thoroughly unethical.

Everyone tries to ignore those writings on the bus. It's a trifle after all. But when last Wednesday chiefs of six educational institutions were herded to an audience with the Prime Minister only to receive the keys to the buses the Prime Minister was to 'gift' them, that was a regular horror show. The recipients included the Vice-Chancellor of a university. Why should the Prime Minister be needed to make over a thing like a bus which many of the capital city's children's schools own and in some cases more than one?

The idea of 'gifting' buses has been a very unfortunate and thoroughly ill-advised sycophan tic exercise imposed on the Prime Minister. When she gives away trophies and decorations to national achievers, she is not gifting anything If some institutions deserve to be recognised by the giving of a bus-prize, it should be done just like that. By trying to inflate the importance of the giver, you are only harming the Prime Minister.

The Spirit of Asoka

Sri Lanka's international image has suffered irreparably because of the bloody Tamil-Sinhalese strife. But the violence-only image, forcefully buttressed by the Bandarnaike to Dissanaike assassi nation chain, is both unjust and untrue. Of the nations in the Third World region, it was Sri Lanka alone which had carved for herself a very respectable niche with regard to 'quality of life.' Her healthcare and literacy standards were among the best in the world. And she spent next to nothing on arms and the military. And although poverty was not wholly unknown, there decidedly was no hunger anywhere in that paradise of an island.

President Chandrika Kumaratunga's overtures to LTTE are showing their first encouraging results. One gets the feeling that hers may prove a regime not only of reconciliation but also of recovery. Recovery as well of Sri Lanka's interna-

tional image.

The Daily Star on Friday published an interesting picture of two young women tourists enjoying the site of a herd of young elephants cavorting in water. These young elephants do indeed come from an "elephant orphanage" - Sri Lanka's first and perhaps the world's first elephant orphanage — taking care of young elephants found lost or abandoned in the jungles. Come to think of it and the height of compassion and humanism will charm you. It was the same Sri Lanka which years ago had pioneered the world's first open jail — a jail without walls. And that was a huge success. We are certain with the return of peace to this island Sri Lanka will again be the showpiece of South Asia. After all the spirit of Asoka, carried there by Mahendra and Sanghamitra, cannot be defeated after two thousand years by forces of hate and strife, inaccommodation and intolerance.

Why Can't They Withdraw Their Resignation?

by M M Sunnah

Constitution of the People a Republic of Bangladesh reads as follows: "A member of Parliament may resign his seat by writing under his hand addressed to the Speaker, and seat shall become vacant when the writing is received by the

HE article 67 [2] of the

Speaker or the office of the Speaker is vacant or the Speaker is for any reason unable to perform his functions. by Deputy Speaker."

Basing on the interpretation of the said article the Opposition parliamentarians, who have resigned recently. are claiming that they cannot withdraw their resignation letters, which were submitted to the Speaker. They argue that their resignations have become effective, and their seats in the Parliament have become vacant soon after the Speaker 'received those letters from their

The argument appears to be genuine, if not polluted by obstinacy. One cannot expect the parliamentarians to disobey the strict principles of the Constitution But, what if sticking to the principle jeopardises the peace and prosperity of the country? What does our history say? Had

N our early days, we used

to hear about or listen to

politicians who happen-

to be tall order

professionals like lawyers.

doctors, engineers, professors,

etc. Many of them were

moneyed people no doubt but

the money they so earned was

mostly by their sweats in court

buildings, classrooms or

hospitals. A large chunk of that

hard earned money used to be

spent in constantly feeding the

constituency in terms of

various social, educational and

economic events. A part of that

accumulation used to find ways

through posters, election

camps and providing voters

just with betel leaves and betel

nuts, one or two bidi and at

best few chocolates for the

kids accompanying the voter

to the election camp. We also

observed many candidates

winning assembly elections

who could hardly manage their

families. To win an election at

that time, the amount of

money seemingly played a sec-

ondary role: the primary role

or the secret was played by the

candidate's honesty, integrity

commitment to the nation etc.

It seems that gone are

those days. Now the secret of

all politics, be it in Bangladesh

India or Pakistan, appéars to

be the sacred money. The fact

that "without money nothing

can be done is, perhaps, more

true and pervasive in the case

of today's politics than any-

thing else. It is being said that

in Bangladesh one has to

spend on average 10 lakh Taka

to complete the parliamentary

election, pass or fail notwith-

standing Better call it a

monetary race where many

dedicated souls with long ca-

reer in politics were reported

to be dashed to the ground and

where many 'unknowns' were

Everybody knows that Chief Justice Shahabuddin, who was holding an office of profit, never resigned. He was holding the post of the Chief Justice during the tenure of his presidency. It was totally ultra vires of the Constitution. What happened to the defenders of the Constitution at that time?

principles always had a pre-

ponderance over our state's

welfare?

We get the answer if we look into our recent history. In 1990, during the last hours of Ershad's regime. Chief Justice Shahabuddin Ahmed suddenly took oath as the Vice President of Bangladesh (subsequently be became the Acting President upon Ershad's resignation), soon after Moudud Ahmed's resignation from the post. This happened after a national consensus was reached by the major political parties. Did the question as to whether Chief Justice Shahabuddin Ahmed was qualified to take oath as the Vice President under the rules of the Constitution occur in anybody's mind? May be yes. but nobody bothered.

Let me clear the matter for those who never thought of the problem According to article 48 (4) (b) of the Constitution iprior to the 12th Amendment) a person disqual

ifies to be a President or Vice President if he/she disqualifies to contest in a parliamentary election. And according to article 66 (2) (dd) of the Constitution a person disqualifies to contest in a parliamentary election if he/she holds any office of profit in the service of the Republic i.e. government post. Everybody knows that Chief Justice Shahabuddin, who was holding an office of profit, never resigned. He was holding the post of the Chief Justice during the tenure of his presidency. It was totally ultra vires of the Constitution. What happened to the defenders of the Constitution at that time? Did the Chief Justice violate the Constitution? I think not. They were thinking rationally. And that's what probably helped to germinate the seeds of democ racy Constitution is for the good of the country and its

Chief Justice Shahabuddin took oath as the Vice

President of Bangladesh at a critical moment of our history. when the nation needed his leadership desperately. Probably he introduced a new rule of interpretation to assist the nation in administering the Constitution. It is a regular practice of our legal system to follow the precedents and to obey the rules laid down by the superior courts. One might well say that Justice Shahabuddin Ahmed introduced a new precedent of fgnoring, on a very special occa-

for better service to the nation. Furthermore, we all know that our Constitution is an Act of Parliament. And it is generally presumed that the words used in an Act of Parliament must be taken to have been used in their ordinary sense. If the words used in the Act are clear, then it is expected that the people or judges have no difficulty in interpreting its

sion, the rules of Constitution

But if the Act of Parliament

is badly drafted, then people or judges may require to seek intention of the Parliament in other parts of the Act itself. and if they give no assistance. then, in other legislation/precedent or surrounding

circumstances. The framers of the Constitution might not have foreseen the full effect of the words used in it. Apparently, they never thought of a situation like forcing a President to resign and handing over the power to an unelected person.

Obviously, they never foresaw a situation when 147 members of the Parliament would resign together. Therefore, one can argue that the words of article 67 (2) were not drafted to cover a mass resignation. We still don't have the explanation for the words "the seat shall become vacant when the writing is received by the Speaker". It may mean that a gazette notification is not required for confirmation of their resignation.

Yet, we don't know whether the Speaker is entitled to receive such writing officially when the Parliament is not in session. We are not sure of the intention of the framers of the Constitution with respect to enforceability of these words.

Now, we urge our leaders to look into the present crisis in a rational manner. Our history reveals that we have acted reasonably in the past in time of a national crisis. Why can't we do it now? Since we all agree that there is no necessity for the Opposition parliamentarians to fesign, after PM's agreement to resign 30 days before the elections, then let not the parliamentary process be disrupted just for a few misconstrued words. In a manner of speaking, the Opposition has withdrawn their intention. why can't they withdraw the papers? The Constitution is not a revelation. Therefore, it is not necessary to keep it in its pristine beauty. We have made it, we can shape it according to our needs.

The author is a lawyer, and is involved in human rights movement in Bangladesh. He worked for several years with UNHCR in Malausia as a legal

The 'Monetary' Politics and the Politics of 'Money'

by Abdul Bayes

The fact that "without money nothing can be done" is, perhaps, more true and pervasive in the case of today's politics than anything else. It is being said that in Bangladesh one has to spend on average 10 lakh Taka to complete the parliamentary election, pass or fail notwithstanding.

in the fight.

reported to emerge as heroes

The Political Industry! Suppose you are an MP People would like to say that your earnings could be at least Tk 30,000 per month through various allowances and privileges provided to you. If the assumption is true, then it im plies that at the end of your tenure i.e. after five years, you would be left with Tk 20 lakh If you spend half of that you could still be left with 10 lakh. If you are a little bit smart and have acquired the secrets of money making, your earning per month could be Tk 50,000 or Tk 30 lakh after five years. Ministers' earning cannot be less than that amount. If you had borrowed the election seed money from the bank at a compound interest rate of say. 10 per cent per annum, what would be the rate of return on capital so invested? Intuitively speaking, much above other industrial ventures, be it import substituting or export oriented. Possibly, for this reason there seem an influx of industrial "kulaks" into politics and the political parties are witnessed to receive them with red carpets even though the newcomers might not have any political background. whatsoever. Election and politics are thus turning out to be the most profitable ventures in today's Bangladesh, India and Pakistan. Of course, there are

in terms of failures but, especially, not for those who have already been endowed with vast sums of "black money" that the election is supposed to make "white". The basic difference between 'political industry" and its counterpart. non political, seem to be that the latter requires money as well as hard labour, knowledge on the national and global economy and a good sense of management to succeed while the political one needs only money, and if necessary, the guns and the goons.

The money-politics nexus depicted above is a common phenomenon in and around us. The Sunday (27 Nov-3 Dec 1994) published some inter esting episodes of huge money amassed by politicians of India. Needless to mention, such episodes are also not unheard of in neighbouring countries but weak democratic institutions and fragile press freedom can hardly ventilate them out.

The former Governor of Punjab. Mr Surendra Nath and his entire family was wiped out a plane crash. But before the mourning could end, the press flashed the horrible news of Rs 44 crore that was reported to be found in the late Governor's house. Surendra Nath was an honest police officer of repute but the demand of his politics. possibly, drove him to this accumulation and it is alleged that the late Governor was involved in real estate business, rent-seeking and amassing huge secret funds. "The sorry

sage said something about the manner in which politicians and public officials are regarded today. Not only do people expect our rulers to be corrupt, they are not shocked by the corruption when it is divulged. Among most significant of all, corruption is no longer measured in lakhs, it is calculated in crores."

Newspapers also headlined another Surendra in recent months. He is Mr Surendra Jain — a successful businessman having links with topranking officials and politicians. Jain's house was raided by police on 3 May 1991 and a diary was seized along with about Rs 4 lakh in foreign exchange, bearer bonds of Rs 10 lakh and 4,430 kg of gold. Horribly enough, Jain's diary leaked out the sources of huge payments made to tall order politicians in India, both in and out of government. For example, Bhajan Lal is reported to have received Rs 1.14 crore while he was agricultural minister in Rajiv Gandhi's cabinet; Arif Muhammad Khan, the power and civil aviation minister during V P Singh's tenure. received Rs 7.5 crore; Devi Lal got Rs 50 lakh as deputy prime minister: L K Advani and Sukla got Rs 60 lakh and Rs 65 lakh respectively. The list goes on and the names so mentioned are known to many of us living in Bangladesh. The list also includes so-called honest bureaucrats. Of course, many of the press victims denied allegations but the fact

remains that the news was not a bolt from the blue for Indian voters whose expectations from their leaders are not far away from Jain's list.

The Sauce and the Source Where do the huge sums

come from? The Sunday mentioned that defence is one of the gold-mines. Each year, India purchases defence goods worth Rs 23,000 crore. Commission between 15-40 per cent is not uncommon and a 15 per cent share would total Rs 3,450 crore. Again. petroleum is the single most of importa where India spends about Rs 20,000 crore per year. A 2-3 per cent commission would give Rs 600 crore. Similarly, the power and the energy sector is a booming one where huge sums are amassed. It is also alleged that the recent privatisation and liberalisation efforts are also giving rise to some rent-seeking in terms of the timing and sequencing of reforms.

The Pots and the Sauce

Although the expenditure pattern varies across politicians, generally two types of expenses are preferred and considered as legitimate. First, the election money. Any politician willing to contest in a state assembly seat has to spend Rs 10 lakh (the permissible figure is 1.5 lakh) and that for the Loksabha seat, the amount heaves up to Rs 50 lakh. Many politicians have their own armed cadres to

eapture election booths and these cadres also claim a large slice. There is hardly any way that this huge expenses could be managed following the rules of the society's game. Second, political expenses. A minister's salary is Rs 10,000 per month. Many people call it a joke since the money is not conforming to the needs of the standard of living of the minister, expenses he incurs in entertaining his flocks from own constituency and other political expenses.

Besides, today's politicians are alleged to groom a dream of the richest class of the society. They like to send children outside for better education. hover the hopes of building cosy houses in posh areas and buying 'expensive cars etc. Normal rules of games, unfortunately, do not allow the deadly dreams to materialise and so is the other option.

Fight for the Light

it would however be naive to conclude that, by and large, politicians are species of the kind mentioned above. There are still lot of honest, dedicated and sacrificing leaders in and around us whose services could hardly be questioned.

They are struggling to eke out a living following the rules of the game but unfortunately the realities are such as to revolt against them. As days pass by corrupt politicians appear to drive honest ones out of circulation. We should continue to side with the latter and fight out the former.

The writer is a Professor of Economics and Dean of Social Sciences. Jahangirnagar Uni-

Letters for publication in these columns should be addressed to the Editor and legibly written or typed with double space. For reasons of space, short letters are preferred, and all are subject to editing and cuts. Pseudonyms are accepted. However, all communications must bear the writer's real name, signature and address.

Sylhet Division

Sir. Nearly three months ago the hon'ble Prime Minister had announced the formation of Sylhet Division. Procedural formalities are yet to be completed to commence all neces sary activities of a proper division. We hope the authority will do the needful at an early date. In this connection, we would like to request the BTV authority to demarcate the division from Chittagong division in the map of weather report as shown in the news at 8 pm and 10 pm.

This, we believe, will be a testimony to the Prime Minis ter's declaration of Sylhet Divi-

Motius Samad Chowdhury Housing Estate, Sylhet

"The Third View"

Sir. You deserve deep appreciation of the silent majority for "The Third View" ap pearing on the 6th December. Hope that other leading newspapers especially the Bengali newspapers will take the cue and project the views of the silent majority, the main beneficiary of the Constitution of Bangladesh, the Sovereign The Constitution is their CARTA. The Parliament, the Government, the Opposition are all subordinate to the silent majority. They constitute 99% of the population. They want peace, dignity, good health and prosperity. To achieve these they appoint (elect) their represen-

tatives to work on their behalf

within the framework of the

sacred constitution of which they, the citizens, are the supreme authority and only they must say when and how to amend the same. The rest are only their agents. The constitution guarantees the fundamental rights of the citizens. the ultimate authority of the constitution, vide Articles 7 and 11 of the Constitution.

also elements of risk involved

The Articles say -"7(1) All powers in the republic belong to the people and their exercise on behalf of the people shall be effected only under, and by the authority of the constitution.

(2) This Constitution is, as the solemn expression of the will of the people, the supreme law of the Republic. and if any other law is inconsistent with this constitution that other law shall, to the extent of the inconsistency, be void."

"11. The Republic shall be a democracy in which fundamental human rights and freedom and respect for the dignity and worth of human person shall be guaranteed"

Now let us see what is the plight of the people who are the author ("the solemn expression of the people") of the constitution and whose dignity is guaranteed by Article 11.

The opposition calls hartal during which period all shops. business establishments, etc remain shut and cars, trucks, buses, rickshaws are not allowed on the street. The effect is that our freedom of movement, freedom to earn livelihood are restrained by the opposition. Then where, is our

freedom and dignity guaranteed by our sacred Constitution. Isn't this violation of our Constitution? Should not some one go to the supreme court for a verdict? We are no longer prepared for such indignity from those whom we send to the parliament to protect the constitution and our dignity, honour and means of livelihood

have nothing against the hartals but let it be free from coercion and threat. Let it be the means of voluntarily expressing ones likes or dislikes, protests or approval. Enough damage has been done to the country by various political movements but real achievements for the benefit of the people have been very few. Now that the country is on the verge of an era of development under the new world order and as we have recently been assured by the FBCCI Chairman that the country's economy can be turned into something like those of the ASEAN countries (and I believe it can be) if political stability is maintained. the time has come when the silent majority should wake up and protect their own dignity and defend themselves from any one (whoever it may be) interfering.

Let us not be treated like cattle driven at will into the pens for limited periods to graze and drink, Let us protest en masse and find out a real leader, there must be one somewhere. Time has come for the leader of the silent majority to come out and take hold of the banner and rush to proclaim that enough is enough and mobilise forces against the cattle ranchers. Let us not miss the opportunity that is coming for us to live in dignity. Let us for once be serious and try for national conciliation. Let us remove all

done by removing the irritants that are inhibiting our every

day life.

Let us analyze a little: There was a time when the ryots or prajas were under the clutches of the money lenders and the zaminders. Sher-e-Bangla Fazlul Huq who was Chief Minister of the united Bengal fought for the emancipation of the ryots from the clutches of the Mahajans and was successful inspite of the opposition from vested interests, and enacting Debt Settlement Boards in Bengal.

Sheikh Mujib who was Muslim Leaguer in pre 1947 days stood up against the conspiracy of West Pakistanis and finally mobilised the East Bengalees against the conspirators under the banner of Awami Muslim League (the world 'Muslim' was later dropped after the abolition of separate electorate). Indeed Sheikh Mujib was the major force behind the movement. Another Muslim Leaguer Maulana Bhasani was staunch east Bengali Nationalist who splintered from Awami Muslim League and formed National Awami Party. So all of them have played important roles in history of Bangladesh.

If I am not wrong, in 1954 by an enactment of the East Bengal Assembly (by the way if I am correct the province and its Government was named as East Bengal and remained so till the two unit system was introduced) the Permanent Settlement was abolished removing all feudalism from East Bengal (East Pakistan) now Bangladesh.

What I want to say here is that whatever we have achieved here in Bangladesh has been possible due to the cumulative effect of certain positive measures taken over the years. It has not been a day's work and no single per controversy of the past and son or party can claim the forge a unity which can only be whole credit. So why don't we

accept the history and recognise all our predecessors irrespective of their political be-

Why do we squabble over petty things. Let there be an all-party grand national convention to sit down with smiling faces and recognising all the leaders of the past, and burying the hatchets, take sa cred steps for a forward march into the new millennium.

A reader Dhaka.

Political deadlock

Sir, What next in Bangladeshi politics? Our esteemed and patriotic opposition members have abandoned the Parliament, a place which they could use as an ideal venue for

realising their noble ends! Meanwhile, I would request both ruling and opposition parties to re-consider their stands giving priority to the national interests and the welfare of the people. Whatever the lapses might be, the current democratic government has indeed succeeded in introducing democracy in Bangladesh and in gearing up the socioeconomic development process - the achievement is significant.

I honestly hope that all the sides would demonstrate true patriotic norms and values in containing the present impasse through dialogue.

If some mediator is needed please do not go for foreigners but form a mediator-group taking representatives from among our mehnati manush (working people). This idea may sound ridiculous but this is, I believe, what we should do. Let this mediator group's opinions help in taking our future political decisions.

M Zahidul Hague Assistant Professor BAI. Sher-e-Bangla Nagar Dhaka

Man of the year

Sir. I am very pleased to read that The Daily Star has elected Dr Muhammad Yunus as "The Man of the Year". You have selected him very carefully and intelligently - where impartiality acted upon the issue. As a development worker at the grassroots level, I visited the Grameen at several places of rural Bangladesh and found 'the disadvantaged and poor women and the landless have got an identity to survive on their own feet. Grameen in Bangladesh is the silver lining out in the dark clouds.

In true sense. Dr Yunus does not merely work. He works with a TEAM (T-Together. E-Everyone. A-Achieves. M-More) approach (cited from the John Hopkins University/ Centre for Communication Programmes) which can be treated as SMART (S-Specific, M Measurable, A-Attainable, R-Reasonable, T-Time bound) efforts for the rural Bangladeshis.

Realising the fact. I would like to appeal Dr Yunus and his team to take initiative for the sium dwellers in the city areas of Bangladesh. Development efforts of different quarters for the slum dwellers appear to me as cosmetic. Dr Yunus and Grameen - both are special in implementation of real and sustainable development. May this new year be filled with special memories and wonder ful moments and may Grameen always find happiness for the disadvantaged in the years

Yunus as the Secretary General of the United Nations one day to take the lead role for alleviating poverty and ensuring welfare of all races and cul tures of the world

would like to see Dr.

Gopal Sen Gupta 32/3. Sukrabad (4th Floor). Dhvaka-1207

ahead.