

## A Misleading Lull

A sense of complacency appears to have gripped the ruling party and the government. Our reading of the situation leads us to think that there is no reason for it. In fact this lull is misleading — almost suicidally so. The Prime Minister boastfully stated after the en masse resignation of the opposition MPs, back in December, that nothing would happen if, and when the resignation comes about. Such a statement was made to counter the opposition's claim that the country would come to a standstill once they quit the parliament. Now that nothing actually has happened after the resignation, a sense of 'situation is under control' feeling has become all-pervasive in the government circles. However, seasoned political pulse readers have a totally different view. The lull, as we see it, was totally due to the intervening month of Holy Ramadan. It was also greatly helped, first by the Speaker's legitimate delay, we would put at about a week, and then by the two law suits in the High Court. This was followed by the festivities of Eid. However, now everything is over, and so also we think, will be the lull. In fact those who are in the know of things suggest that severe political turmoil is just around the corner.

The opening shots by the opposition will be the hartals on 12-13 March. This will, most likely, be followed by other similar calls in the days to come. This paper is, on grounds of principle, opposed to the concept of hartals. This is because we think hartals or strikes have lost all moral and ethical meaning because they are no longer voluntary but imposed. However, we uphold the rights of all citizens to protest and not-cooperate with the government, which was what hartals were originally supposed to stand for. We have repeatedly urged upon the opposition to go for innovative alternatives to hartals which hurt the innocent and poor citizens more than the government.

So the question is, knowing that opposition will go for more strident and provocative actions, what is the government and the ruling party planning to do? Nothing, at least that is how it appears to the public. We have written in other columns that having decided to talk to the opposition, government and the ruling party should now give a clear agenda, and their own positions on that agenda. Hesitation on BNP's part is based on its assessment that Hasina will not respond positively to whatever it does. We do not know whether this assumption is correct, and have no reason to subscribe to it. Even if it were so, government cannot hide behind that fact, and go for a 'no-action' formula, as it seems to have gone now. It must act quickly. Time is running out, if it has not already.

## Eid this Time

So what was Eid like this time around. There is one thing that became very clear. Eid, especially Eid-ul-Fitr has become the biggest boost to our economy. The buying and selling that went on this time shows clear signs of how Eid shopping has evolved into the biggest marketing binge in Bangladesh. For a whole month there was a mad rush in all the shopping areas of greater Dhaka. Reports from other towns testify to the same trend. So what lessons are we going to learn from it? Of course there will no doubt be those who will lament the erosion of the more esoteric and spiritual aspect of the occasion and condemn the fact of its becoming such a commercial affair. Shopping habits develop from a sense of giving to others. Then there is the sentiment of sharing, which also prompts us to buy and give. There is also the feeling that on the occasion of Eid we will all look a bit better, eat a bit better and make our surroundings appear better than usual, which also works to make us go shopping and buy things. So Eid becoming a big shopping event is a bit inevitable, and welcome. It is our view that we should not only try to prevent this from evolving further, but make arrangements so that more shopping takes place on this occasion giving a far stronger lull to our economy.

We think that a serious attempt be made to have some sort of an estimate as to how much shopping took place this time, how many people having participated in it. Such an estimate will help us to project the future trends, which will help us to make arrangements for the future. It is our view that given a better shopping environment, and better traffic management, there would have been more shopping, and more people participating in it, each perhaps coming back to it more than once. As it was, shopping was a trial, and in most cases a harrowing experience. Those who went, suffered it under compulsion, finished it in the shortest possible time, and in most cases never went back again.

We suggest that government should have a special body to monitor the Eid shopping, make scientific projections of its scope and nature, and help the traders prepare better for the occasion. This will help them to make greater contribution and impact on the economy. Even in more advanced countries of the West, sales during Christmas acts as a big boost to the economy. So why not in ours?

## Telephone Tales

Last Thursday we carried a story on how long it takes for us to get new telephone lines, and how much we need to grease the palms of the concerned people along the way. As can be expected the higher-ups professed no knowledge of the corruption and blamed the delay in getting phones on far greater demand than there is capacity. There are many stories like the one we published of having to wait nearly a decade for a phone connection. Telephones are a must in modern business and living. If we want to become a part of the 21st century life, we will have to improve our telephone system. Today not only we have to wait years for a simple phone, we have to pay the highest rate in the world for it. Imagine being among the poorest countries in the world, we pay among the highest rates for phone calls. We also have perhaps the biggest fleet of employees for the number of total telephones. This has led to high overhead and corruption. We request our telecommunication ministry to take a serious look into this area and help modernise this sector. Telecommunication is one field where we can attract a lot of foreign investment. With a clear policy of privatisation and allowing greater number of people to avail of the facility, the market will increase, services will become cheap, and there will be overall rise in efficiency. All we need is policy and aggressive implementation of it. Will our telecom ministry take up the challenge?

# Eid Shopping: Loose Strands of Stray Thoughts

By all accounts, Eid shopping this year was pretty brisk. Roads leading to the main shopping areas had been clogged with traffic for days on. Prices are said to have gone up by 10 to 50 per cent as compared to last year's Eid bazaar. But this hasn't dampened the buying spree.

ALONG MY WAY  
S B Chaudhuri



complex where you can buy almost all the things you need — under the same roof. Most of these shopping centres have arrangements for car parking to attract affluent customers. Prices are bit high but you also do your shopping in relative comfort.

Side by side with these modern shopping centres, traditional bazaars also had been doing roaring business. These looked even busier than the sleek shopping complex. All towns and cities have these bazaars. They also offer a wide variety of goods and a broad range of choices. Prices generally are lower than in the shopping centres for lookalike articles. If you are an expert bargainer, you could be sure of beating prices further down.

At the low end of the markets in towns and cities, there are the pavement shops and roadside vendors. The asking price for an article in these truly mass markets could be anywhere up to 50 per cent lower than the posh shopping complex. Quality may not be the same but not that had either. Low price is the main attraction but even then, a lively haggling session would ensue. It is important that the shopper has plenty of time in hand. Not just for bargaining but also for giving each article a really close look after the deal is struck. Otherwise, the vendor could palm off defective goods.

Salespeople's job is to sell. Use of gimmicks to promote sales and attract buyers is also expected. This year, major shopping centres in Chittagong seem to have earned bit of a distinction by offering lucky coupons to customers who bought goods worth a certain minimum value. The coupons could fetch the holders attractive prizes such as cars, refrigerators, colour television and so on. Some dubbed the sales drive unauthorised lottery. Authorities also took umbrage and sent out threats of legal action. Nothing much would probably happen. The Chittagong sales pitch reportedly was inaugurated by no less personage than a minister.

Anecdotal evidence suggests that the Eid sales this time were some 30 per cent more than last year. Does this indicate a corresponding rise in consumer earnings? We know for sure that it is not so. All the same, consumers did spend more. May be, they felt less inclined to hold their money back. Consumer confidence may have grown. Could it also signal an upturn in the economy? Ah, that again is another story, involving a whole raft of variables. Suffice it to say that prospects look better but not quite rosy.

FOREIGN products were available aplenty for the Eid shoppers. However, all the products branded as foreign-made were not truly so. Many of the elegant dresses and other apparel labelled as having been manufactured abroad had really been made at home. Such quality products were being flaunted as foreign goods to attract buyers in the hope of realising high prices.

It was on such a day fifteen years ago that I had gone to a shop in Bangkok to buy a pair of shoes. I was then staying in Bangkok doing a consultancy job with the UN ESCAP. I liked a nice pair of shoes but not the price. Neither could I speak Thai nor the salesman English. Anyhow, I made the appropriate gestures to let the salesman understand that the price was too high for me. He immediately came up with a pad and pencil — thrusting these into my hands — signalling me put down my offer. Apparently he could read the numbers alright. So I jotted

down a figure, and after reading it, he nodded his head sadly. Then he scribbled a set of numbers which fell in between the original price and my offer. I could cut a deal, so I thought.

Yet, what still bothered me was the label tagged to the shoes declaring these to be of Italian make. Given the lan-

guage barrier, there was hardly any hope of clearing up my misgivings. Just then another customer entered the shop. Obviously a Thai, he also had an English magazine in his hand. I approached him, 'taking it for granted that he knew English. The gentleman listened to me with a broad smile on his face and then talked to the salesman. After a while he turned to me and explained that the shoes were really made in Thailand but the 'Made in Italy' label has been attached to attract buyers. The salesman says shoes sell better that way," he added and then left the shop abruptly, looking rather ashamed. I thought.

Things have changed. The Thais no longer feel impelled to declare their own products as foreign-made. Will things change for us too? Well, these are loose strands of stray thoughts anyway.

## Untying the Gordian Knot of Our Politics

A SERIES OF INTERVIEWS AND ARTICLES ON THE CURRENT POLITICAL CRISIS

### Some Options to Resolve the Impasse

by Rehman Sobhan



In an earlier piece in *The Daily Star*, I attempted to identify the issues, as they stand today, which underline the prevailing political impasse in Bangladesh. Since I wrote that piece at the end of January, there appear to have been no moves to break the impasse. Rather the nation has been exposed to the sideshow at the law courts where we were led to hope that our judiciary would solve problems which had defied political solutions for these last 9 months. The outgoing Chief Justice had rightly warned the nation that political problems had to be solved through politics. The Supreme Court has recognised this hazard and in its landmark judgement of 23 February deftly returned the stick of political dynamite placed in their hands back to the Speaker.

The Speaker has with quite superhuman legal acumen managed to then give a multipaged ruling within hours of having the issue returned to him by the courts, where he has declared the *en masse* resignation of the opposition MPs to be invalid. Did this Lycurgus of Bangladesh actually write his epic ruling in 6 hours? Or had the Speaker already worked on his ruling for many days in anticipation that the courts would 'Render unto Caesar, the things that are Caesar's'?

I am not competent to comment on the jurisprudential merits of the Speaker's ruling. As a layman it appears to me that the pith of the ruling states that a valid resignation by an MP from the *Jatiya Sangsad* requires that:

(a) It should be submitted in their own handwriting under their signature.

(b) It should, unless circumstances compel otherwise, be submitted in person.

(c) No reason should be given for the resignation.

Without again commenting on the merits of these preconditions, it could be argued that if all the opposition MPs were to now present themselves to the Speaker in person and in his presence write on a slip of paper 'I hereby resign from the *Jatiya Sangsad* as of today', sign it and hand it over to the Speaker, this would, under the terms of his ruling, be deemed a valid resignation.

The juridical significance of the long harangue of the Speaker in the course of his ruling on the constitutional improprieties of the opposition resigning, *en masse*, remains unclear. People may agree or disagree with the Speaker's observations on the merits of the resignation. But in practice does the ruling itself, in any way, invalidate a MP's decision to resign, provided it is done in the format prescribed by the Speaker? If no reason is given by the MPs for their resignation, is not the Speaker bound to accept it? Or does the Speaker's ruling now lay down a new parliamentary jurisprudence that *en masse* resignations are unacceptable even if submitted in an appropriate form? The Speaker thus needs to clarify his ruling. If the reigning confusion is not to be further compounded.

Depending on the interpretation of the Speaker's ruling, the opposition is presented with the following options:

(i) The opposition may ignore the ruling of the Speaker and continue to remain outside Parliament. This seems to have been the decision of the Awami League Working Committee in its recent meeting as well as by the other opposition parties.

(ii) The opposition MPs may re-submit their resignations in person in the format prescribed by the Speaker.

(iii) If (i) is to be the course of the action, then the opposition will, perforce, legally

remain Members of Parliament, can draw their allowances, but may remain free to continue to boycott Parliament. Furthermore, now that the MPs are involuntarily bound to the Parliament by the Speaker's ruling, their only recourse appears to be to make the Parliament redundant so that the Prime Minister feels obliged to dissolve the Parliament as early as possible. This by-product of the Speaker's ruling promises a long hot *Falgun* and even Summer for Bangladesh after the Eid.

(iv) The opposition may, in theory, still return to Parliament and see it through to its conclusion by the end of 1995, within which time they can negotiate with the government for a constitutional amendment to permit the holding of elections under a caretaker government run by an advisory council. This prospect, at the moment, seems rather remote, if not actually non-existent.

Within the above range of options, the choices of the opposition will be influenced by their capacity to intensify and sustain an agitation over the next several months. How far they are able and, more to the point, willing to go, will require careful calculation within the opposition. Here the arithmetic of each opposition party may not yield the same results. A party which hopes to win an election may deem the price of civic disruption to be rather higher than a party with lesser elevated expectations.

The Speaker's ruling poses the following equally serious dilemmas for the government which will need urgent address:

(i) Is the government in a position to now make an offer to the opposition, which they cannot refuse, as an inducement to return to Parliament? Obviously the Speaker's juridical rhetoric is not going to bring the opposition back to the *Sangsad*. Indeed he has, perhaps without realising it, done the opposition a great favour by his ruling. He has let them resume their MPs' status, which carries many advantages in dealing with the affairs of their constituents and the administration. The fact that the MPs could risk 9 months on the streets without cover of their MP status undoubtedly made many opposition MPs uncomfortable over the issue of resignation. Now that the Speaker's ruling has legally restored the MP status of the opposition but has freed them of any obligation to attend Parliament, the restored MPs can agitate to their heart's content, in part at government expense, to bring about the dissolution of the parliament.

If there is now no scope for the opposition to resubmit their resignations, then they should each certainly send the Speaker a bouquet of roses for doing them a great favour.

## Looking Back at March towards Independence

March 6, 1971

Dhaka, after a five-day hartal, came back to normalcy with buses and vehicles reappearing on the streets.

The East Pakistan Union of Journalists (EPUJ) brought out a procession from the Press Club and held a mass rally before Baitul Mokarram. The President of the Pakistan Federal Union of Journalists, K.G. Mustafa, addressed the rally, congratulating the heroic people of Bangladesh and urging them to unite against the then West Pakistan's oppression.

The Bangla National Awami Party (BNAP) also held a public meeting at the New Market. The meeting was presided over by Prof. Muzaffar Ahmed, President of the Party and addressed by Mr. Mohiuddin Ahmed and Begum Matiya Choudhury. Protesting against the killing of the 'unarmed civilians' — a number of student fronts, political parties, and professional and cultural organisations including the East Pakistan Students Union, the Bangla Chhatra League, the Dacca Motor Drivers' Union, the Bangla National League, the teachers of non-government schools in Dhaka and Narayanganj, the Dhaka Central Students Union, the Bangla Airways Union, Udhichi, Rajabagh Tannery Workers, among others, brought out rallies, processions, etc., and organised public meetings. Women and artists were also extremely vocal and active.

President Yahya Khan delivered an address to the nation, which was broadcast over the Radio Pakistan network. He explained his reasons for postponing the inaugural session of the National Assembly and said that he hoped after tempers cooled down, fruitful dialogues would take place. He then declared that as Chief Martial Law Administrator, he had made the decision to open National Assembly on March 25.

(Compiled by Schreazad Latif)

ment perhaps believed that an opposition which had resigned had played out its trump card long before the game was over. The resultant tenancy of the opposition on the streets was thereby deemed an advantage to the government with votes to be won from the incendiary behaviour of an opposition on the rampage. Now that the Speaker has legally rehabilitated the opposition, the government will have to decide whether they will negotiate a solution acceptable to the opposition to get them off the streets and into the *Sangsad* or they will continue to live with nine months of agitation led by the sitting members of Parliament. A Parliament with nearly half of its members in the streets, agitating to seek the dissolution of this same parliament, is no longer a credible institution of democracy, no matter how solid the democratic mandate of the ruling party. Such a rump parliament will expose the country to the worst of all possible worlds. It will compel the country to live with a parliament without any opposition for close to a year and a half. This is, if anything, even longer than Ershad's 1988 parliamentary charade, with its comical opposition led by its resident clown prince. Such a dysfunctional parliament, sans opposition, can only serve to bring the institution of parliamentary democracy into public contempt and undermine the credibility of the government as a legislator. Since this is an elected government with a bona fide electoral mandate it

should be discussed and finalised on a person to person basis by the Prime Minister and Leader of the Opposition. The consensus agreement emerging from this dialogue should be announced jointly before the nation by the Prime Minister and Leader of the Opposition so that the people of Bangladesh would be made political guarantors of the sanctity of the agreement negotiated at (c) above.

(e) The opposition should return to the *Sangsad* to pass the constitutional amendment as worked out in (c) above. Following the passage of the amendment, the Parliament should be dissolved and the election campaign for the new parliament should be formally initiated.

(iii) An alternative offer to the opposition could be based on a modification of the Ninian Steven proposal. Here 5 members of parliament would be nominated by each side to constitute the caretaker government. The Prime Minister would step down as the caretaker government takes over and one of the members of the caretaker government would be, by agreement of both sides, nominated as caretaker Prime Minister. As an inducement to the opposition to accept this proposal the government would agree to dissolve the Parliament immediately and go for an early election. This move would require no constitutional amendment and would spare the country the need to live with a dysfunctional parliament as well as the tension and uncertainty of civil strife. All other issues covering the modalities of the transfer and the holding of elections would remain common to alternative (iii) c-e) as spelt out above.

The solutions suggested above are far from ideal. Compromise solutions, designed to avert an imminent political conflagration, rarely are. It is however hoped that lessons will be learnt from the fate of this parliament which, just four years ago, held out so much hope for a democratic renewal in Bangladesh.

is needlessly politically hazardous for them to bring their own democratic credentials into controversy by perpetuating the life of a parliament which has clearly outlived its utility.

So what can the government do? It has in the present circumstances three clear options:

(i) It can let the opposition, led by its restored MPs, intensify their agitation on the streets. The government can hope to brazen it out till December. In the hope that the disruption of civic life will be politically costly to the opposition. However permitting a civil agitation to continue unabated, with the resultant disruption of daily life, commerce and industry is no less risky to an incumbent government. It is the job of a government to ensure the normalcy of civic life and they will be held as accountable by the voters as will be the opposition, for their failure to find a political solution which restores normalcy in public life. No Finance Minister, let alone one who has heavy agenda of reforms to carry through, can feel comfortable with an open-ended agitation which can subvert productivity gains, frustrate new investments and, as a result, leave him with little to show for his reforms.

(ii) It can revert to its implicit offer of 28/29 December on the caretaker government. This, to gain credibility with the opposition, will have to be presented in the form of a written proposal, which spells out the following points of agreement:

(a) The general elections will be held under a caretaker government presided over by a ten-member advisory council with five members nominated from each side. This council may be headed by the President or by an interim Prime Minister who would be nominated by the ruling party from amongst the five persons