

Jute Prices

There has been a demand spillover for all grades of raw jute beyond the July-December peak season, both in the domestic and foreign markets. Out of an estimated production of 37 lakh bales in the 1995 season, 26 lakh bales were traded at the domestic terminal markets till December 31, reflecting a quantum of external off-take as well, leaving us a surplus of 11 lakh bales as on that date.

The out-of-season demand activation is fetching the jute traders — not necessarily the growers — higher prices although the dividends are limited to the 11 lakh bales of stock in hand. The government imposed a restriction on raw jute export through the land route from October to January 3 as a precaution against smuggling and price hike it had grown apprehensive about against the backdrop of a production shortfall.

With the prohibition of export by land lifted after January 3, border trade in the commodity has resumed and, predictably, with a sponging effect on the residual stock of raw jute. The arrival of jute at the terminal markets of Narayanganj and Daulatdia has noticeably dropped from 20 to 25 thousand maunds during the July-December peak period to only 5 to 6 thousand maunds as of now. This can not be solely explained away in terms of a reduced off-season stock which after all was put at a fairly substantial 11 lakh bales at the outset of January. What obviously cross the mind are legitimate exports to India by land — with smuggling not to be ruled out — and perhaps also speculative hoarding to jack up prices. When India and China have had production shortfalls themselves, raising the demand and price of raw jute in the international market there has been an understandable lure for the home traders.

The high price of raw jute in the domestic market can make the price of our jute manufacturers less competitive in the overseas market. On the other hand, growers are hardly the beneficiaries of higher prices which are basically manipulated to the advantage of speculators. In other words, the growers and the manufacturers should find a common cause in stabilising the domestic market of raw jute so that while the prices are remunerative to the producers these are also economic for the jute industry owners. As part and parcel of the jute industry policy, let's have clear guidelines for the determination of jute acreage in the country in the first place.

Overcommitted Might

It is most unfortunate that Russian leadership — both political and military — could not think of something better in dealing with the Chechen rebels holding hostages in a village called Pervomayskaya. The tiny hamlet has been subjected to salvoes after salvoes of missiles and artillery shells from helicopter gunships and tanks. This extreme step was taken after six days of stand-off and ground fighting that failed to make the rebels surrender. Estimated between 150 and 250 the rebels dug into the village with hostages numbering between 70 and 100.

Evidently, the bombardments have reduced the whole village of Pervomayskaya into rubble and by the time the hostage crisis is over there will perhaps be neither any Chechen rebels nor any hostages alive. Although Russian sources say the rebels were killing the hostages, prompting the employment of aerial bombardments and artillery firing, this has not been confirmed by independent sources. On the contrary, it appears that the government of Boris Yeltsin has blundered by an inept handling of the situation. We think it has been a disproportionate reaction from the Russian administration.

The arms and ammunition Russia is using against a small band of rebels have apparently boomeranged. Yeltsin cannot gain from this move. The destruction of an entire village with some hostages in it as a retribution against a handful rebels is hardly likely to go down well with the Russian people. On the opening day of the Duma, Yeltsin came under attack from the opposition. By using disproportionate force to subdue the rebels Yeltsin has drawn an avoidable flak.

Returnees' Dues

Bangladesh nationals who lost their jobs or materially suffered otherwise during Gulf War may at last get the compensations due to them. Some moves are afoot in the direction of realising the needed money from frozen Iraqi assets abroad. Already the Saudi government has agreed to channel 10 million US dollars from the proceeds of Iraqi oil sale. The amount will be used to settle some of the compensation claims totalling 62,352. Compensation amount varies between 2,500 and 8,000 US dollars.

Clearly not all the claimants will be satisfied. But at least things are moving in the right direction. The United Nations Compensation Commission (UNCC), based in Geneva, has been doing its part of the job well. It has approved 32,000 Bangladeshi claims so far while 14,000 more claims await approval.

The real problem, however, is with the availability of fund. Frozen Iraqi assets may not be sufficient to meet the claims of returnees. It would be easier if Iraqi oil starts selling in international market yielding the fund. This, however, is tagged with the inspection of Iraqi weapons manufacturing facilities by international teams. Both Iraq and the UN Security Council should be coming to an understanding on the issue soon.

LECTION for the people of Bangladesh though not a new experience but its purpose, regularity and frequency have been anything but steady or consistent. Besides the question of freeness and fairness of election, the purpose and object for holding an election depended upon the major actors in this regard who have often failed to make the electors become the mainstream in the process. People were never allowed to establish their legitimate rights through ballots. Election, which is supposed to be an instrument of representation has been perceived, at best, as a mechanism or device for ascending to or for remaining in power. It has also been used for legitimising the power, often ascended to through the means other than election. Though the creation of Pakistan was a follow up of an election held in 1946, but it is an irony of fate that after Pakistan was created there was no national election held on the basis of franchise till 1970.

Election and the Political Treachery

In fact, our history has been full of treacherous acts and events. A chain of this treacherous acts in the history has been traced by Mr. Justice Shahabuddin Ahmed in his celebrated Judgment on 8th Amendment of the Constitution.

In his Judgment, it has been shown historically how after the election won in 1946 on the basis of Lahore resolution, the majority people of the then East Bengal were reduced into a minority and how the word 'States' contained in Lahore resolution was mysteriously replaced by the word 'State'. In the process, East Bengal was reduced into a province and a colony through an autocratic rule of a military bureaucracy.

The Judgment also points out how the Sovereign Constituent Assembly was dissolved without any lawful authority; how an elected Prime Minister was dismissed by a Governor General, not having any legal power to do so, and how a historic election process of 1946 was frustrated; how the will of the people exercised through an election was defeated through conspiracy and treachery. The Judgment further shows how the attempt to frame the Constitution of Pakistan was sabotaged again and again; and how general election scheduled to be held under 1956 Constitution could not take place and it was finally preempted by a military takeover in 1958 by the then C. in C. of the Army, Gen. Ayub Khan; and how after a long struggle, the only general election held in 1970-71 was to be frustrated by imposing the most unjust and treacherous war upon the unarmed people. With great sacrifices, the people won the war of liberation with an object for establishment of democracy.

Representation in Post-independent Bangladesh: Contradiction between the Concept and the Reality

After the creation of Bangladesh as an independent country, people's aspiration was manifested not only in having an independent country and a flag but also reflecting the supreme political will while defining the power of the Republic and its manner of exercise in the post-independent Constitution.

In giving a Constitution to itself, the people of Bangladesh also vested the entire power of the Republic to the people to be exercised in accordance with the Constitution. There has been thus a drastic change in the concept of power and its exercise through the elected representatives. During the colonial era under the British regime, election was perceived as part of the scheme for familiarising the local inhabitants with the governance, while in the period under Pakistan regime, election was devised as a mechanism for gaining legitimacy for military bureaucratic regime. The most dynamic and emerging concept and the role of the election under the Bangladesh Constitution needs an appropriate focus for understanding its proper perspective. Unless the election mechanism can be so secured through which people can effectively choose their government freely and also participate in the governance and thus bring the desired changes in policies, the concept of power to the people as contained in the Constitution as the main theme of representative democracy becomes inefficacious and almost nugatory.

In most of the elections so far held, people were considered as passive voters and the main actors have been either the generals or marginally the political parties, their leaders and the candidates of the respective parties. Success or failure of any party or candidate depended on the ability of such party and candidate to master the winning number of votes, in any manner, fair or foul. The only exceptions are the elections of 1970 and that of 1991. They are the confirmations of the verdict of the people which they have been trying to assert

Election in Bangladesh and Paradox of Power

by M Amir-ul Islam

through the political struggle and movement over a long period of time. In 1970 and 1991, people were able to reach the political climax through which their verdict was registered despite all odds. They were culminations of a long-drawn struggle in order to reassert people's right for empowerment. Those elections are not therefore comparable to the elections in ordinary sense as would be expected and are to be conducted on a regular and periodic basis.

In most of other elections as initiated by usurpers for legitimising their power electorates were treated as voters, almost like a commodity and at the most an object. They have never been treated as the main subject nor as the main actor in the process. But the election, as is conceived under the Bangladesh Constitution, is to act as an instrument through which people can exercise their power without ever divesting themselves from it.

Election is therefore not to be treated as divesting mechanism, but be perceived as a participatory mechanism. It is to be understood in the total context of the power always remaining and belonging to the people and not as a mere mechanism for succession of power.

Democracy, if it is a government by the people, then it ought to be based on the principle of continuity and the participatory practices in the decision making process. This was described by the Indian Supreme Court as Pannuswami's principles (AIR 1952 S.C. 64). One of

environment. This is where the concept of free and fair election comes. Thus the main objects of election can be summarised as follows: a) to facilitate popular participation in public affairs in order to strengthen empowerment of people; b) to provide for orderly succession in government by the peaceful transfer of power; c) to ensure ultimate exercise of sovereign power and authority of the people through its chosen representatives; d) to effect change in the policy through the electoral verdict; e) to ensure accountability of the government to the people through Parliament and media; f) to effect a periodical audit on the political power and its exercise; g) to ensure the choice of the people in a multi-party democracy.

The reality of electioneering remains far from the object of the election summarised above. The people of this area, which is now known as Bangladesh, have been denied their very basic right — the right to exercise, express and implement their will which is to be Supreme as ordained under the Constitution.

Thus, we can see that our people at times participated in provincial and later national election since 1937 under British, Pakistan and under the independent rule; but experience with election has been both infrequent and unfortunate. Following the practice or malpractices as was frequent during Pakistan era, interference with the conduct or the consequences of elections also became the

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the principles so established was aptly summed up by Justice Krishna Iyer yet in another case (1978 (1) S.C.C. 404; para 23) as follows: Democracy is government by the people. It is a continual participative operation, not a cataclysm, periodic exercise. The little man, in his multitude, marking his vote at the poll does a Social audit of his Parliament plus political choice of his proxy.

The political reality of the present day is far from the contemplation in the Constitution. It is the fundamental tenet of our Constitution that all powers belong to the people who are supposed to be the real actors in the election scenario. Yet the people are only helpless victim of powers. It is the fundamental mandate of our Constitution that all powers are to be exercised on behalf of the people but the people are excluded from the process of exercising the power in various manner. It is ordained that such powers are to be exercised under the Constitution and in the manner prescribed by the Constitution.

Yet the powers are abused. It is exercised without any control or bounds and at the whims and caprices of the rulers. It is said that the Constitution is the Supreme Law of the Land but the same is trampled and violated with impunity by those who are bound by the oath to defend. Article 7 of our Constitution

rule rather than the exception in independent Bangladesh.

Disillusionment and Demand for Neutral Administration

In view of the abuse and hypocrisy, treachery and sabotage, twist and frustration, as have been experienced in the electoral history of our recent past, a popular demand was initiated by all the opposition parties for a neutral caretaker government even within the present constitutional dispensations. The government failed to make appropriate and timely response to them nor could it initiate any fruitful dialogue with the opposition for bringing about a consensus. There was visible absence of a sincere and honest political will to resolve the problem.

The present government, which is beneficiary of such an election held in 1991 under a caretaker government headed by the Chief Justice following the fall of Ershad regime, now opposes such proposal initiated by the opposition. Opposition on the other hand boycotted the Parliament and started a movement of hartal and blockade in order to paralyse the government creating a political deadlock in the country for last two years. National and even international initiative to mediate between the two views did not result into the settlement of the issue.

The demand for a caretaker government, which arises from the past experience of made up elections

electoral fairplay is a danger signal for the nation's democratic destiny.

The need for a caretaker and the neutral characteristic of the government for the interim period for holding the election in the context of past history, therefore, is no doubt a legitimate and a popular demand as the people and particularly all the opposition political parties believe that such a government can ensure the neutrality of administration. Under a neutral caretaker government, it is believed that the security forces, police, law enforcing agency and the electronic media role on one hand and, on the other, it can also prevent the abuse of the state patronage and public power by any particular party or group.

There are indeed different examples and models for such an interim caretaker government; but the opposition parties are overawed with the success of 1991 elections under a model having the Chief Justice as the head of the interim government and also by the one held in Pakistan under the Presidency of Moysen Qureshi, without realizing that such models, though served a particular need at a particular moment in history, cannot be reenacted in Bangladesh under the present constitutional dispensation nor can be a desirable substitute for an institutional mechanism.

The Party in power did not show any interest in changing the Constitution for bringing in an institutional mechanism with built-in bal-

ancing, hopeless and painful that path may appear, the other options as have so often been repeated in our history are much too dangerous both in the short and in the long run.

Instead of blaming one party or the other, it is important to understand the reasons why things go wrong in every start that we make and every vow that we undertake to work the democracy.

Firstly, it is important to remember that over-politicisation may ruin the polity itself. Secondly, the public life ought not to be taken as so personal in term of office as our leaders tend to perceive political office, be it in government or in opposition. Power and public office need to be perceived as impersonal and not temporal in nature. Thirdly, People in public life ought to realise that public office and power belong to the people. It is only held in a trust on behalf of the people as Benjamin Disraeli said, "I repeat that all power is a trust — that were accountable for its exercise — that from the people and for the people all springs, and all must exist." Fourthly, People wielding power must realise that power has a vicious psyche of its own.

French Political Philosopher Montesquieu perceived it long ago when he pointed out that power tends to corrupt and Lord Acton said it aptly that power tends to corrupt and absolute power corrupts absolutely. One has nothing against the leaders of the government and in the opposition. Personally they are wonderful people with charm.

begins to roll down the stiff slope as is said in the Greek legend that Sisyphus condemned by a curse of a Greek god to continue re-peating the same performance till eternity.

Dias gives illustration of contemporary tragedies of democracy in Pakistan and refers to the chaos into which political factions plunged the country after allegedly rigged election was halted on 5th July 1977 by a military coup for a promised election on 16th October which was never to take place. Instead Pakistan suffered another decade of dictatorship.

Bangladesh's experience in working of the democracy has been equally tragic, almost like the Greek tragedy. In evaluating the role of the people and the sacrifices made by them in achieving their aspiration for democracy no people can claim having made greater sacrifice for democracy and justice than the people of Bangladesh; yet those responsible for actual working of it on a day to day basis and those having responsibility for building institutional mechanism and setting examples and traditions have miserably failed in upholding their oath and the promise held out to the people. In studying the history of these tragic casualties of democracy, one is often reminded of the striking caution uttered by John Adams. "Remember, remember, democracy never lasts long, it soon wastes, exhausts and murders itself.

Let John Adams's prophecy not be proven again in the context of the present time in Bangladesh which he said two hundred years ago: "There never was a democracy that did not commit suicide. John Adams, Second President of U.S.A. who lived in the Eighteenth Century, was perhaps speaking of the era before the French and American Revolution.

Power, if allowed to be exercised by the instinct and inclination for fulfilling personal or party ends or for upholding one's ego — John Adams then could be prophetic again even at the end of the twentieth century. Democracy could thus be again committing Suicide, as the absolute and unguided power is antithetic to democracy and Rule of Law.

It is worth remembering in this context a warning pronounced by the Supreme Court in the neighboring country in an election dispute relating to the Prime Minister Indira Gandhi in the celebrated case of Raj Narayan (1975 supp. S.C.C. 1, 251 para 661): "But the electorates live in hope that a sacred power will not so flagrantly be used and the moving finger of history warns of the consequences that inevitably flow when absolute power has corrupted absolutely."

We are now at the end of the twentieth century. At the threshold of a new era, Bangladesh can not afford yet another breakdown in its journey for development and democracy. Let us acknowledge that we are on crossroads of history again. A wrong turn may ruin the future of our country and impede its progress and development. Issues, which are to be resolved now, touch upon the mechanism for exercising the power of the people through a free and fair election. It concerns each of our citizens as well as future governments. It also involves the Constitutional continuity for future. Therefore, it is important to consider these points above the party or any group interest. It is through collective wisdom only that we can find an appropriate solution.

It is therefore of utmost importance and urgency that the entire nation and the people along with the major political parties be involved in consultations. Through national media and through dialogue, debate and conciliation, let there be a consensus. On the threshold of a new era bound with promise for development and democracy, our leaders and the people cannot simply allow this opportunity to be wasted away only in order to serve narrow ends. National interest and the will of our people which is supreme as to be effected through Constitutional mechanism must have priority over all egos and base vanity, and need not concede to any petty, party or parochial interests.

People now must be able to mobilise themselves and develop a collective will of their own through an innovative political process in order to protect their own socio-economic and political agenda. All the achievements of our people cannot be allowed to be washed away by the useless and thoughtless power games played by the leaders in power in the blissful adolescence in their career of succession.

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CORRIGENDUM

The writer's introduction at the bottom of the article "UNHCR at the Crossroads: Who's in the Driving Seat?" by Robin Davies was given as "working with the UNHCR...". Actually, he is not working with this UN agency.