

15 February Election : An Observation

It has Created More Problems than it has Solved

by A Hasib

THE 15 February election has created more problems than it has solved...

public from casting votes in spite of armed security personnel deployed by the authority...

stituencies and these members shall be designated as Members of Parliament...

suits which are fatally flawed! Most jurists I have talked to have said that the Chief Election Commissioner and other Commissioners are not above the law...

ary for a free and fair election and that no such election is possible under the BNP Government.

Now let us look at the 'prospect' of this tragedy of election. The purpose of democracy is to bring more and more people under the democratic process...

that she would ask the President to promulgate an ordinance under Art 93 for NCG or make a reference to the Supreme Court for its opinion and hold fresh election under such NCG within a time-frame...

the Prime Minister. Politics is a demanding profession, a compromising profession. Given that Begum Zia will do this, for we have to denounce violence for a meaningful political partnership for a prosperous Bangladesh...

for a fruitful negotiation for promulgating an ordinance under Art 93 for NCG or make a reference to the Supreme Court for its opinion.

Moreover, for a meaningful partnership in national politics for a violence-free prosperous Bangladesh, leading lawyers, businessmen, journalists, retired judges and others who think about the country's welfare and public interests, should be included for talks...

The writer is an ex-Judge of the Bangladesh Supreme Court.

In my other article in the same newspaper I tried to show the exit out of the abyss by invoking the good intention of the Prime Minister and the different articles of our Constitution under which the President has the sweeping power to legislate when the Parliament is either not in session or is dissolved and how such legislation can be validated in the next Parliament...

Let us now see the problems as also the prospects of the post election period with a reference to different clauses of the Constitution apart from what has appeared in national and international news media and the opinion of the donor countries.

BNP allegedly induced a lot of unknown political parties to participate in the election. What these parties said about the election are known to us. The Chief Election Commission and the BNP said that it was not their look out who took part in the election. Now let us see how a 'Political Party' is defined in our constitution: 'Political Party' includes a group of combination of persons who operate within or outside Parliament under distinctive name...

IN the backdrop of the failure by BNP government and the mainstream opposition to settle the issue of holding the national election under a caretaker government, the Government of Begum Khaleda Zia decided to hold the election on the pretext of constitutional continuity without the participation of all the leading opposition parties including the Awami League. It is really painful to believe that a party (BNP) elected through election spending millions of taka costing life and property of the people, and then showing 'V' sign before a selected gathering?

Reviewing the Aftermath

by Muhd M Huseyn

lead the country to a deeper crisis. As we see, difference between the government and the opposition has widened further after the election. The situation has further aggravated with the arrest of opposition leaders and workers by the government earlier...

Since opposition's aim is to restore democracy through functioning of the democratic institutions properly, they should pursue the line of non-violent movement to realise their demand. Non-violent movement will strengthen the opposition's acceptability among the people and weaken that of the government if it continues to be repressive and undemocratic to the opposition.

bring back a favourable environment for discussion and dialogue and immediately forgo the path of repression. Both the sides should also refrain from making such statements which may create misunderstanding between them.

consider to initiate dialogue with the opposition to form a caretaker government under Article 93(1) of the Constitution which reads as follows:

(1) At any time when Parliament stands dissolved or is not in session, if the President is satisfied that circumstances exist which render immediate action necessary, he may make and promulgate such Ordinances as the circumstances appear to him to require, and any ordinance so made shall, as from its promulgation have the like force of law as an Act of Parliament...

(2) An Ordinance made under clause (1) shall be laid before Parliament at its first meeting following the promulgation of the Ordinance and shall, unless it is earlier repealed, cease to have effect at the expiration of thirty days after it is so laid or if a resolution disapproving of the ordinance is passed by Parliament before such expiration, upon the passing of the resolution...

In the context of grave national crisis, this method may be a very easy course to bail the nation out from the impasse. If wide range amendment of the Constitution including the Preamble under the Martial Law regimes could be done through ratification of the Constitution, the suggested course can also be taken, only if there is sincere will in both the sides.

As it seems, the February 15th election has put BNP from frying pan to fire. Turnout in the election was about ten per cent. Election could not be held in many places. Ballot papers did not reach many polling booths. Results of many places could not be collected. Some presiding officers were untraced. In some places there were no presiding officers and BNP people were said to be acting as presiding officers as well as voters. They allegedly stuffed the ballot boxes. Some ballot boxes were snatched and burnt. About 15-20 people were killed all over the country and hundreds injured. Fighting is still going on sporadically between 'pro' and 'anti' election forces. These are some of the events as appeared in the national and international news media.

Art 119 provides that the superintendence, direction and control of the preparation of the electoral rolls for elections to the office of President and to Parliament and the conduct of such elections shall vest in the Election Commission which shall, in accordance with this Constitution and any other law - (a) hold elections to the office of President and (b) hold elections of members of Parliament. The question is whether the EC has conducted the elections as per constitution and law and whether the Election Commission has been able to hold election under Art 123(3) (b) which provides that a general election of members of Parliament shall be held within ninety days after dissolution. In our case, the Election Commission could not hold and conduct elections in all centres within the period of ninety days after dissolution of the Parliament in the manner as provided in the Constitution.

The Election Commissioner stated that if he did not hold the election as per the constitutional provision, he would be adjudged guilty by the Supreme Judicial Council for not protecting the Constitution.

The 15 February election has been held without any true challenger of BNP deploying 400,000 BDR, police and Ansar personnel throughout the country to ensure free and fair election. The credibility of the election has largely been tarnished due to very low turnout of voters (only 5-10 per cent), widespread rigging of votes and many other gross irregularities. The above facts got wide publicity through different national and international media.

The BBC pointed out earlier that a one-party election can hardly be called proper. At best it can be called a referendum. If the election is considered from that angle, it is a negative referendum for the government. Under such a situation, the legitimacy of the 6th parliament is in question and the claim of its validity to amend the Constitution may be made the first move to

The blame falls squarely on the Commission which postponed the by elections and then announced the general election and then again postponed it twice and fixed it in the holy month of Ramadan at the end of the ninety days period.

Justice Sadeque's endeavour to uphold the Constitution is appreciable. But there is the other side of the coin which perhaps Mr Kibria has put in a nice way in his article in The Daily Star issue of February 18th under the heading 'Election Commission Must Not Validate the Results.' Mr Justice Sadeque has a choice. He can declare that the elections failed to meet the minimum acceptable standards under the law. Or he can of course do what he has been doing so far by validating re-

Nijera Shikhi Asks Education : Can You Change Your Spots?

by John Hastings

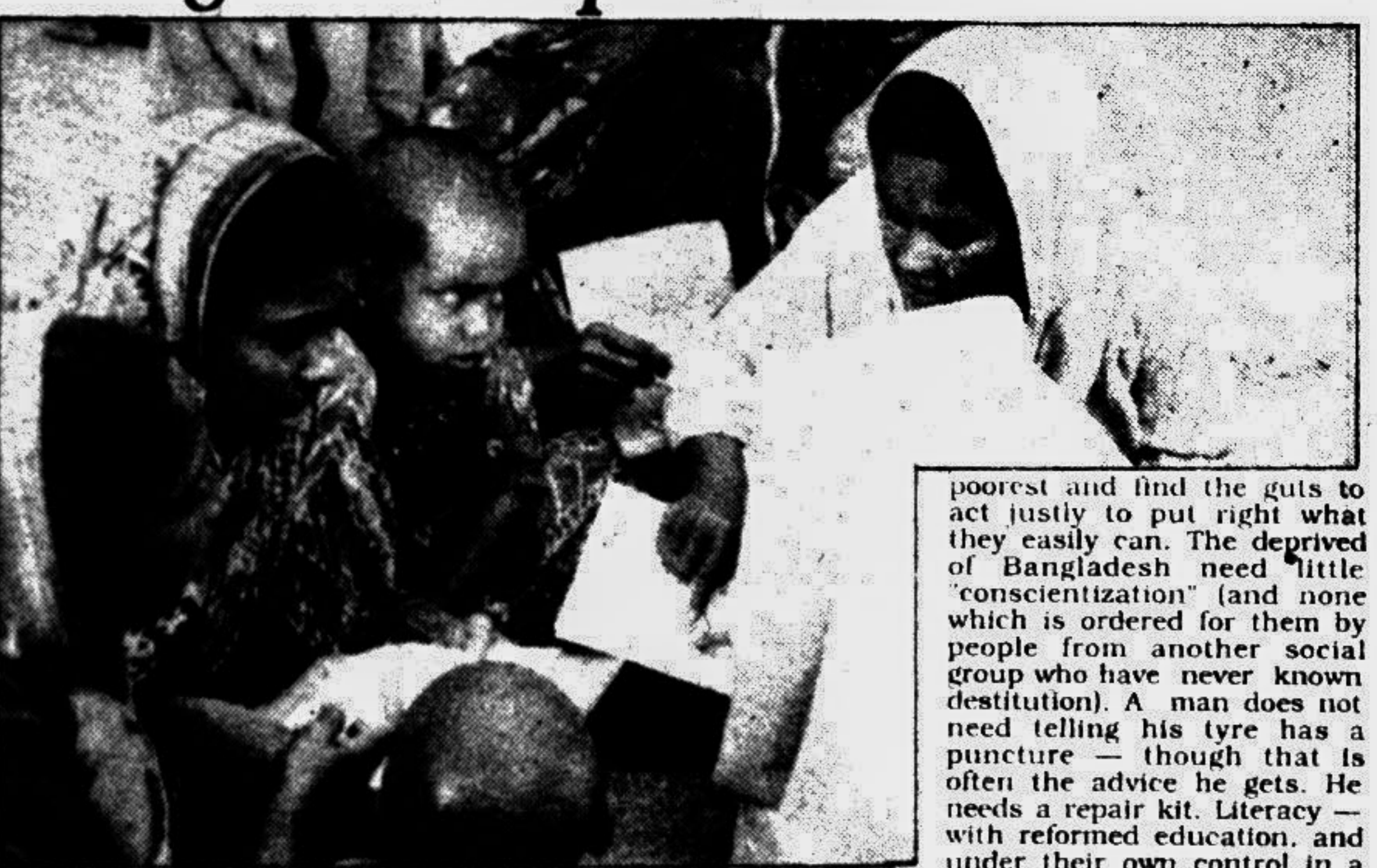
SINCE January 1st 1996, over half a million illiterate people and over 20,000 unpaid volunteers have become involved in the Nijera Shikhi People's Movement. This is not just a massive drive for literacy. It challenges the structure and fabric of Education in Bangladesh.

There are parallels with the 1952 Language Movement. Bengali fury then led to martyrdoms, to preserve Bangla as the national language of East Pakistan. Forty-five years later, Bangladesh has had 24 years' experience of a separate national identity. Shikhi is a nation with such a rich culture should continue to be overwhelmingly illiterate in the language whose preservation is due in no small measure to the blood of martyrs ought by now to be felt much more widely than it is.

For social workers to get job teaching illiterates sounds good. But to Nijera Shikhi it sounds bad, because paying some workers destroys a people's movement, and in any case there is nothing like the amount of money available, either from Government or from the NGO galaxy (unless there is a change of heart, which is very unlikely), to enable the whole country to benefit, so if we rely on paid workers huge areas will be condemned to stay illiterate. Nijera Shikhi has not an aid agency looking after it, but a non-profit organisation set up for Government to use as an agent for establishing Education For All.

By cutting out payments to voluntary workers, and producing better materials at lower prices, the Nijera Shikhi literacy system only costs Tk 50 per new learner. This is less than a tenth of the cost of literacy programmes by NGOs and the Government INEP. If just 300 crores were channelled through Nijera Shikhi, as the Movement spreads throughout the country - it already has volunteers in 60 out of the 64 Districts and 212 out of the 490 Thanas - it will be almost automatic for 60 million adults and adolescents now illiterate to be freed from their chains and enabled to contribute more effectively to their own and the country's development. Undoubtedly this would have a particularly important effect on the portance of family planning advocacy, and could reduce the number of births over the next 12 years by about 13 millions.

Nijera Shikhi has had to tackle a basic problem created by traditional education. The learning method handed down is painfully slow and is a major factor in the huge drop-out of children from primary schools. To have to learn Bangla after the old Sanskrit pattern would be the early death of any people's literacy movement. Learning 'the three R's' is basically a simple process. The traditional method complicates it - deliberately, some say, to prevent education from becoming easily accessible to the masses. Bangladesh still has 'litterateurs' who even want to go on teaching in schools the now unused short and long 'O' (from Sanskrit) which is still found in alphabet. The method is a failure (or perhaps successful - in keeping literacy from the masses) - because vast numbers of children take over a year to learn their alphabet, and leave school illiterate. Figures show that more children have been leaving school illiterate than those who leave literate. This is inexcusable, a terrible waste of financial and human resources for the nation.



most of their class-time writing. So the blackboard is rarely used. Rote-learning is banned. Paradigm exercises consisting of syllables most of which do not exist as words are excluded. So are jingles and word-depictive pictures, because the learner will remember the rhyme or 'read' the picture without trying to read the words.

Nijera Shikhi's self-education method learners do not start by learning the alphabets, but learn to write letters as they have need of them. Helpers avoid using the names of the letters until after the readers can read fluently. For instance, to read the word 'asi' (I come), by the old system, learners have to say 'Sware-a, a; dantya-sa, sa; hraas-a-i, i... asi.' Not surprisingly, many give up before the end. Nijera Shikhi simply helps learners to identify the signs for 'a' and 'i' as sounds and then put them together.

poorest and find the guts to act justly to put right what they easily can. The deprived of Bangladesh need little 'conscientization' (and none which is ordered for them by people from another social group who have never known destitution). A man does not need telling his tyre has a puncture - though that is often the advice he gets. He needs a repair kit. Literacy - with reformed education, and under their own control in a people's movement - is the principal tool the poor need. I believe in neither 'trickle-down' enrichment nor in patronising 'empowerment'. Education is one of the fundamental human rights. Basic education for the poorest has been criminally neglected by privileged society, both locally and internationally. Yet it is the key to development - both in the usual narrow economic sense and in the cultural and spiritual sense: can a person enjoy the fullness of human life without being literate? The old spotty kind of education, as well as tolerating the exclusion of the poorest masses (who after all need it more than anyone since they have few of any other resources), has reinforced privilege and created classist divisions. We must have a new kind of education that is non-directive, and not geared to facilitate control, as the British colonial education system undoubtedly was for us. If we agree that we still largely follow it! Processes of education should never be used to indoctrinate politically, religiously, socially, economically, or in any other way. They have to be as free as possible of prejudice and entirely free of ulterior motives. So I hope that Nijera Shikhi's lead in self-education will take us some way along this path, not just to give illiterate masses the tool they most need, but ultimately to enable all of education to be reformed.



The old method is still followed in thousands of schools. It inculcates rote learning and parrot-paradigms, starting by teaching the cumbersome names of the letters of the alphabet, and by teaching reading before writing. The Nijera Shikhi method is radically new, and before Helpers start they have to educate themselves to get rid of old habits generated by their own schooling. If they spend enough time studying the new method of self-education in Bangla they become convinced of the logic of giving up traditional ways in favour of psychologically sound principles which are really only obvious common-sense. The Helpers are not teachers, but Shikhis-Sevis: they must avoid teaching, and especially showing off what they know. Being directive obstructs and delays learning, learners must feel the pride of their own achievements, and spend

Writers who need to write is another principle. Traditional primers prescribe the writing of sometimes totally useless phrases. Our primer is called 'Ja Chal' ('What we need'). What we need, learners discuss a common need and prompted by the Helper decide to write something about it. They set about teaching themselves the signs they need eventually produce the sentence they have set themselves to write.

Nijera Shikhi is genuinely a movement for all people in Bangladesh. We are now looking for that 1 per cent of the literate population to join us. (Anyone willing to do so can telephone Dhaka 817804 or write to: PO Box 8049 Dhaka 1216.)

The writer is Consultant of Nijera Shikhi.