# The Baily Star Founder-Editor: Late S.M. Ali

### What Next?

In a situation where politics is fast degenerating into a national catastrophe, the only silver-lining is that there is still a slim chance of a deal across the table. The prime minister's letter to Awami League chief Sheikh Hasina is a good enough testimony to her eagerness for talks. Four trade and chamber bodies have also made it clear why a solution to the political crisis through a dialogue is so urgent. The opposition parties are also not averse to talks but they have some conditions for going to the negotiating table.

The problem is there is little time for extensive communication between the two sides. From March 9, the combined opposition is starting its indefinite non-cooperation movement. If no political understanding comes forth within the remaining couple of days, the couptry is surely destined to enter a most dreadful phase of its history. The business community has been badly hurt already and so it is natural that its leaders have pleaded for an immediate dialogue. In the eventuality of no political understanding everyone, down to the man on the street, will be terribly affected. Like the businessmen people of all segments are deeply concerned although their voices are seldom heard

It is a testing time for all, only more so for the politicians. The opposition's tough conditions have their genesis in the past two years' experiences; but now is a time for taking stock of everything only with an eye on the future. Do we have any option open before us than building on what has been achieved? If the crisis drags on, what will be the cost for the nation? The economy - production, export et al — and the law and order are on a roller-coaster journey downhill. Any further worsening of the political situation will simply spell an inevitable disaster for all that holds the country together.

The basic principle of a caretaker government has been accepted by all. Now just extend the good work on the basis of the option that may not be the best but definitely the next best among the available at this moment. This calls for political vision beyond immediate gains. Can we hope the political leaders will rise to the occasion before we court a doom?

## The Historic Speech

Today is the seventh of March. A very special day for the Bengalee people. This day the millennium-old yearning of this ancient people to become free found its first expression. This day a struggle of unbending will daring the pulverising capacity of a modern and militaristic army was launched towards the realisation of that dream by Bangabandhu Sheikh Mujibur Rahman. The armed struggle for independence of the Bangladesh state was born out of the womb of Seventh March.

If Rabindranath gave a central point to a multitude to become a people overcoming a thousand divides, Sheikh Mujibur Rahman gave them a rallying point for national freedom.

In the beginning of March, 1971 the society of the Bengalee people had been set afire by Pakistan treachery. On the Seventh afternoon Bangabandhu spoke of the struggle for freedom and independence and brought an end to the vacillations and archaistic tendencies of a rudderless social vessel Out of the steel of the Seventh March proclamation were shaped the tools of the nine-month unequal war and eventual victory.

This day is not observed the way it should have been. For many are the detractors, including the successive governments after 1975, who would love to see this day written off the mind of the people, in their frenzied and panicked attempts to hold on to the coat-tails of Pakistan.

It is very sad to see this year's commemoration to suffer at the hands of the opposition's suicidal lack of decision over a protest to the Prime Minister's inadequate speech.

### **Determining Culture**

Pakistan's Senate is locked in a battle over the permissibility of televising folk dances participated by men and women having no legal relationship. Why? A Jamaat leader has said this was not Pakistani culture.

Who decides the culture of society? What has a political or religious leader to say in the matter? His or her opinion is only as good as that o another man in the street who, however, has better and more urgent things to give his thoughts to. Culture is a dynamic and ever-evolving repository of a society's ways and expressions through aeons going back beyond historic times. One of the proudest possessions of the Pakistani culture could be that 4000-year-old statuette of a bangled yet bare young danseuse. Men and women have been dancing together in the area now Pakistan from at least ten thousand years before that. If the Jamaat does not like dance as the Arabs do to distraction in all the Arabian speaking lands, they can start a cult that would follow them. But no one can say dancing or for that matter folk dancing in mixed groups is un-Pakistani. Such ignorant and fascistic attempts to box up culture and deny people's right to preserve and practise and create things that set man apart from animals.

It has over the centuries become very clear that the so-called fundamentalists or dogmatists of all kind want all mankind to become an unending pack of foolish beasts remembering nothing creating nothing and evolving into nothing. If the ruling and advanced classes in Pakistan choose to let these bigots rule the minds of the people and strangle culture — the new century will see them left behind.

# People's Sufferings Should End

by Nurul Kabir

RIME Minister and chairperson of Bangladesh Nationalist Party (BNP) Begunt Khaleda Zia has at last officially conceded to the opposition demand for general elections under a non-party government. She has promised to introduce a bill to that effect in the first session of Parliament, and also to hold of a fresh national polls "within shortest possible time."

One willing to analyse the proposals that the premier has come up with will not fail to understand that she has realised, in the face of bitter criticism of a cross section of our people, that the farcical February 15 parliamentary polls will never give her government any legitimacy.

The Prime Minister's acceptance of the concept of non-party government for fair polls is also very significant. With this announcement, the BNP chief has actually expressed her agreement with the opposition camp that elections under a party government cannot be fair. Indeed, she had been left with no option but to admit the fact especially after the February

15 polls. However, the peace-loving citizens found a silver lining in the overcast horizon of the country's conflicting politics in the hope that once a consensus is reached, at least at the theoretical level, between the political camps concerned, over the controversial caretaker government issue, people will be left with the scope for earning their livelihood in an uninterrupted manner.

However, the opposition is yet to start showing any sign of ending the political crisis which has already damaged substantially the country's economy and disrupted normalcy of social life.

Minutes after the Prime Minister's climb-down, Sheikh Hasina and her opposition camp rejected the offer mainly on the ground that the Prime Minister was not specific about the date of the fresh polls. They have also demanded dissolution of the Parliament formed through a rigged election, and the resignation of the Prime Minister herself.

The opposition has rather opted for fresh confrontation with the BNP. The attitude is evident in its call for hartal yesterday (March 6) the capital and its adjoining districts. The hartal coincides with the BNP's scheduled public rally in Dhaka. People concerned know that the big political

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parties usually mobilise their supporters from the adjoining districts to make their "grand rallies" in the capital a big success. By calling hartal on Wednesday, and especially in the adjoining districts of the capital, the opposition has clearly indicated its strategy to confront the ruling party.

The strategy of confrontation becomes more evident when one sees that the opposition earlier shifted its hartal following the rescheduling of the date of the ruling party rally on the 7th of this month. The opposition also scheduled to enforce its shut-down on March 7, a day of days at least for the Awami League. Then further rescheduling the same on March 6 following BNP's reverting of the rally date on

The opposition demand for dissolution of the so-called Sixth Jatiya Sangsad formed through an extensively rigged poll sounds logical to any rational people. The last poll, lit-

the 6th.

votes in Parliament against the party," the Article in question reads. A member cannot escape the punishment even ifhe or she abstains from voting. because "(a) being present in Parliament abstains from voting, or (b) absents himself from any sitting of Parliament ignoring the direction of the party which nominated him at the election as a candidate not to do so, he shall be deemed to have voted against the party," the "explanation" of the Article

70 says. We admit that whipping in the House is the part and parcel of a parliamentary democracy, but leaving no room for voting according to one's conscience could in no way be said to be democratic. It is more so when an article of the Constitution clearly "guarantees" the freedom of thought and con-

science. There 'are other instances of ignoring the dictates of the Constitution by the government of Khaleda Zia. Article 9

whether the government has submitted the text of the General Agreement on Trade and Tariff (GATT) to President Abdur Rahman Biswas, but we know that the controversial agreement signed by the government in 1994 had not been produced before the Parlia-

In this connection, it would not be irrelevant to mention that the GATT, one of the most important international agreements of the century. generated enormous amount of heat in the Parliaments of different countries of the world. The GATT has affected the status of sovereignty of the small nation states of the world in favour of the bigger ones. But the Parliament of our country has been deprived of even having a glimpse of it. And to our surprise, the major opposition parties in Parliament did not show eagerness to see the GATT documents. Extremely busy fighting for their party causes, they had lit-

making such statements. Perhaps the Awami League believes that an election held under a non-party government would pave way for its seizing the state-power. And for the state power, the AL chief is ready to forgive, according to them, a "corrupt" Prime Minis-

Then what is wrong with the opposition accepting the February 15 polls? We know the rational people believing in a classical democratic polity cannot accept the controversial polls. People with active democratic mind have been left with no option but to condemn the BNP bid to justify a rigged poll in the name of constitutionalism.

But it should have nothing to do with the politicians belonging to the Awami League. Jatiya Party, Jamaate-lslami and their friends. These parties have played in the past crucial roles in ratifying various illegal and immoral activities of different military really paradoxical that a leader advises common people not to release their hatred against police excesses, when her party activists have been involved in damaging both public and private property almost regularly for a nonparty government.

AL chief's dissatisfaction for not announcing the date of the election hardly justifies the course of confrontation, because unilateral announcement of a date for the polls would not help resolve the crisis. The last round of negotiation reportedly failed due to difference of opinion between the ruling party and the opposition on the date of elections; Newspaper reports said the opposition wanted the polls to be held in March which would allow them a span of time for election preparations. The negotiation failed because the BNP was bent on holding the elections in February.

It is, therefore, conceivable that for the resolution of the impasse, the date for elections should be fixed through dialogue between the parties concerned, rather than unilaterally. The argument behind the demand for resignation of the Prime Minister is also not very strong. Because, formation of a non-party government itself implies the resignation of Khaleda Zia who is the chief t

the ruling party. Well, the opposition could have raised the issue of mistrust between the conflicting political camps. The parliamentary wing of the BNP signed an accord with its Awami League counterpart in June 1992. But the BNP failed to implement the accord which included government steps to try Jamaat chief Golam Azam as a war criminal under the law of the land and withdrawal of sedition charges against those who had been involved with trial of Golam

Azam in the "People's Court." The issues were very much genuine. But presently, is the Awami League itself serious about the trial of the chief of the Jamaat, a partner in its struggle for non-party caretaker government? The answer is perhaps known to ev-

erybody. Then, why impose further suffering on the people? The Awami League should come forward to settle the issues with the BNP as soon as possible and try its luck in a poll to be conducted by its cherished non-party government. Such a path will strengthen democracy.

#### The Awami League should come forward to settle the issues with the BNP as soon as possible and try its luck in a poll to be conducted by its cherished non-party government. Such a path will strengthen democracy.

erally boycotted by more than eighty per cent of the voters, is really unacceptable to any democratic mind. Besides. Khaleda Zia's arguments of constitutional compulsion for holding the one-party election sounds rather funny.

When, the BNP has shown little respect for some of the important provisions of the Constitution during its tenure since 1991, it is hard to believe that the party is committed to constitutionalism.

Article 39 of the Constitution has guaranteed "freedom of thought and conscience. and "freedom of speech and expression" of the citizens. But the 12th amendment to the Constitution, proposed by the BNP and endorsed unanimously by others including the Awami League, has limited this basic rights for the MPs elected directly by the people. Under Article 70 of the Constitution, which was rewritten in the light of the 12th amendment, a Parliament member cannot vote in the House in accordance with the dictates of his or her conscience. "A person elected as a member of Parliament at an election at which he was nominated as candidate by a political party shall vacate his seats if he :...

of the Constitution promises that "the State shall encourage local government institutions composed of representatives of the areas concerned and in such institutions special representation shall be given, as far as possible, to peasants,

workers and women.

The government of Khaleda Zia had abolished the Upazila system, a thana level local government introduced by her previous regime, in 1991. But they are yet to replace it with a new one. Instead of encouraging "special representation" of the peasants, workers and women" to the different tries of the state bodies, the BNP has strengthened the rule of the bureaucrats at both district and than'a level administrations. Even a novice of political science knows that democracy is impossible without strong local government bodies accountable directly to the peo-

Article 145 (A) of the Constitution clearly obliges the government to produce the texts of all "international treaties" in Parliament. "All treaties with foreign countries shall be submitted to the President, who shall cause them to be laid before Parliament." the Article reads. We do not know

tle headache for national

stances of the constitutional

We have cited a few in-

provisions being ignored by Prime Minister Khaleda Zia and her party. May be, the constitutional experts would be able to identify many other violations. It is therefore not altogether credible that the BNP's pronounced objective of upholding Constitution behind the of February 15 polls is totally genuine. It uphold it because it suited it to do so. But, whatever the case may be, it is difficult for us to understand why the opposition parties are still reluctant to

accept the fresh offer made by the Prime Minister. Khaleda Zia has categorically promised fresh elections under a nonparty administration — the sole demand the opposition has been fighting for, even at the cost of enormous inconvenience of the masses. We remember, the Awami League chief announced that she was ready to spare the Prime Minister from "the allegation of corruption." provided the latter accepted the demand for a non-party caretaker government for conducting national polls. Thirst for state power seems to be the main source of regimes, and legitimised Parliaments constituted through rigged polls, in the name of "upholding the process of constitutional continuity" of the country. Besides, they, as well as the ruling BNP, hardly practice democratic norms even inside their respective When the opposition's prin-

cipal demand is met, where is the bar for them to make efforts to translate Khaleda Zia's promises into reality, and spare the people further conflicts jeopardising their civil life? There is no reason to believe that they are unwilling to accept the ruling party's proposal due to any obligation towards common people. The opposition has enforced 90 days of hartals and

other activities in 1995 to press its demand for caretaker government. But they did not feel it worth to call a hartal protesting the killing of Yasmin and seven others by police in Dinajpur in August the same year. The Dinajpur incident touched the emotions of the entire nation. But Sheikh Hasina, while visiting the areas, advised the people who protested spontaneously against the police atrocity to maintain law and order. It is

> Armed Forces must comply with the dictates of the Judiciary in holding free and fair elections. March 23, 1996 is important in Pakistan as it constitutionally separates the Judiciary from the Executive. making them truly indepen-

dent.

One cannot believe that Ms Benazir Bhutto is responsible for the absurdity of some of the proposed electoral reforms This is certainly not the work of torchbearer of freedom and the champion of democracy that we once knew. With grieving heart one must reluctantly accept that the person is the PM's House posing as the PM may not be the Ms Bhutto. We have to reluctantly accept what her mother and brother have repeatedly stated that this lady in the PM's House is a creation of (and a hostage to) the tyrannical forces that she herself fought valiantly for over a decade. For the sake of this nation, will the real Ms Benazir please forgive us and come back from wherever she has

## ELECTORAL REFORMS

# The Search for Democracy

choice of one's leaders. In a democracy 'everyone is an equal, very much the driving lorce behind our religion our society are reflected in the where rich and poor, intelledistribution of the vote among ctual and ignorant, are treated candidates of many parties and llection of like-minded people. on ethnic, sectarian and clan basis, thereby making the a collection of like-minded elected candidates susceptible societies within a geographical to various influences and thus boundary having a similar the Assemblies unstable, 6) many sections of the people, each of whom may number define a democratic nation has much more than the minorities can never muster a majority and as such never seen to have a voice in Parliament. 7) without fear and favour. The in a country whose ideology is mechanism to exercise a religion without any class structure, we are almost the only country in the world to have created separate classes Needless to say any attempt to by having a separate electorate. 8) by having unequal conthe vote not only corrupts the stituencies in size and population we have negated the concept of one man (or women) one vote that is the essence of democracy, and 9) by having indirect elections to various critical posts we have given has a right to directly elect his room for corruption to influence the vote in such a manner that it undercuts the basis of democracy and constitu-

that bogus ID cards by the

hundreds of thousands have

been issued but the fact re-

mains that whatever may be their number they are still a

suitable verification method for

each individual as compared to

the free-for-all that will ensure

The absence of an identifi-

cation document will be an

open cheque for vote-rigging

whichever government is con-

ducting the elections. To

check bogus voting, why not

ask for additional documenta-

tion to the ID cards, e.g. pass-

port, driving licences, bank

statements, utility bills, salary

vouchers, etc., anything that

will prove one's identity if

there is doubt? Without the ID

card, what is to stop those in

power from trucking in thou-

sands of people from other

constituencies where they

have unassailable majorities

and have them vote in 9 differ-

if there are no ID cards.

called a Councillor and his Representatives at the Provincial and National Assemblies tional rule. In short, democcalled respectively the Memracy has been corrupted in ber of the Provincial Assembly such a manner that the influ-(MPA) and the Member of the ential and the wealthy can ma-National Assembly (MNA). The nipulate things in their favour Local Bodies Chairman, the District Council Chairman, the at their will. The Ms Benazir government Senate and the President are appointed a "Commission of indirectly elected by various Wise Men" to recommend electoral bodies. Since we have adopted the Parliamentary system, the Prime Minister and the Chief Ministers are also elected indirectly by the National Assembly and the Provincial Assemblies respectively, acting as electoral bodies. Since members of other religions live within the na'-2) a joint electorate system but tion's geographical boundaries. without doing away with the whom we choose to call miseparate electorate system, in norities, they have a voice in effect giving the minorities Parliament by having special two votes instead of that availseats reserved for them, to be able to Muslims who have one voted for separately by memvote only. Both are very conbers of each separate minority. troversial initiatives and have Since women have been unbeen immediately opposed by der-privileged and discrimiall knowledgeable circles who nated against, for a certain see this not as a means to period of time we have to give them specially reserved seats. make the electoral system In the exercise of democtransparent' but a very transracy we have seen a number of parent attempt to rig the next election. There is no doubt

tration of voters is frequently wrong, sometimes individual names are missing and names of those inserted who should not be, as they do not exist in that particular constituency. In essence the electoral lists are wrong, either deliberately or inadvertently, 2) during the actual voting process the matching of the individual to the names in the list is fre-quently incorrect, as such many of those who are not on the list get to vote in place of the actual voters. 3) the ballot papers are stolen or tampered with as are the ballot boxes. this should be the realm of the civil administration backed up by the Armed Forces, 4) the counting of votes and information from the various Reporting Centre to the Control Rooms is not progressive with the result there is room for machination in counting the total vote, 5) the divisions in

weaknesses, viz (1) the regis-

ent constituencies in one day. Any logistics expert armed with a computer and a fleet of buses can do this, scaring the genuine voters away.

The elimination of ID cards can be compared to the State's would be allocated as per a list

National Assembly has 200 seats directly elected, there must be an additional 100 seats on PR basis with at least 50 per cent for women and 15 per cent for minorities. Seats

ASISEEIT

Ikram Sehgal writes from Karachi

functionaries looting a bank in

order that dacoits are prevented from attempting robbery. As far as giving minorities two votes is concerned, given the PPP's known history of attracting minority votes as an acceptable alternate in the face of conservative and religious parties, it is too blatant a sleight-of-hand to even comment on this absurdity. One has to follow three ma-

jor principles in a free democracy. First is to have every electable post directly elected. Any indirect vote is open to manipulation and this negates the concept of democracy. Critics may contend that this will cost the public exchequer much too much to have so many elections but this is the cost one has to bear. Every aspirant for election must first qualify by being elected at the

Secondly, we must have a majority vote to decide an election by having a run-off crossover vote. At the moment anyone who can rely on a 25-27 per cent vote bank getselected and then gives two hoots for the others in his/her electorate.

a Joint Electorate as a Separate Electorate it is divisive in nature and only serves to keep the minorities out of the national mainstream. The minorities must have seats. Similarly women deserve special seats as do other parties which have a low percentage of supporters and as such no hope for a voice in Parliament. The way to do this is by Proportional Representation (PR) based on the percentages each Party gets in the General Election in the First Round. For every two directly elected seats in Parliament, there must be an additional seat on PR. If the

in priority given by each party (minimum qualification being elected to the Local Bodies level). The candidates selected on PR basis will invariably be from those constituencies where their Party has not already won a seat in the Gen

eral Elections. As for the size

OPINION

ing in quick strides towards

the dais at the then Race

Course ground in Dhaka.

constituency in the urban arples and given the sorry exthe two women are hell-bent general elections must be conducted by a Caretaker government comprising of the Judiciary and non-political individ

Based on the above princiample of Bangladesh (where on the nation self-destructing rather than trust each other to conduct a fair election), the uals selected by the Judiciary The Civil Administration and

each constituency there

must be a formula devised

which has to make a compro-

mise between the land area

and the population. This is a

mechanism that can be agreed

to in a spirit of give and take

that corrects the imbalance of

say 10,000-15,000 voters in a

constituency in Balochistan to

about half-million voters in a

#### The Voice of Thunder Netaji Subhas Chandra Bose.

was determined to reach his

goal, no matter what the price

would be. He was standing at

Faruber Anwar

a Bengali was the first to fly the Indian flag in Assam in the stakes with all that he had year 1946, in the British India; he was gambling with his life. a year later, the Britishers had He would not compromise to leave and the sub-continent with anything, he would not budge an inch, his decision was divided into two independent nations, India and Pakwas final. He was the elected representative of the 75 mil-Twenty five years later, hislion people, and nothing would deter him now. He had fought tory was repeating itself — another firebrand and charishard; no might, no power matic Bengali leader was walkcould break his convictions. He

7th of March 1971 was not the cross-roads of a new dawn. an ordinary day like other days The deep resonant and for the Bengalis. It was differbaritone voice boomed out of the loud speakers at the Race ent and a very important day in the lives of the people living in Course ground. "Bojro Kontho" the then East Pakistan. Destiny — the voice of thunder — lamhad brought Bangabandhu basted the army junta of Yahya Sheikh Mujibur Rahman a full Khan for not transferring the power to him, the representative of the majority people. He went on to speak amidst pindrop silence, he started off slowly with his words in a clear and sombre voice but as he delved deeper into the crisis of the country's situation, he became emotional and words flowed out of his mouth at a faster pace and his words turned out into sheer poetry.

> Towards the end of the speech Sheikh Mujibur Rahman had driven the half a million crowd to a near hysterical frenzy of Bengali nationalism, as he was an orator par excellence, a leader of common men — who appealed directly to them, and seemed to have an invisible bond between himself and the general mass. His speech was an all time great and he was at his best this day, he had the crowd almost mesmerised with his stinging and mind-blowing revolutionary words. He had unified and galvanised one and all for a single cause amidst thunderous shouts of Joy Bangla and Joy-Bangabandhu.

With an uncanny sixth sense, he declared explicitly that "this time, the struggle was for liberation, this time the struggle was for independence" and that he would make the country's people

gone into hiding?

free, Inshallah.

Like the metamorphosis of a caterpillar to a butterfly, that of East Pakistan to Bangladesh had begun. By the end of the speech, it was crystal clear that the very foundations of the two wings of Pakistan as one nation was shaken to the roots and virtually torn asunder. It was almost certain that the Bengalis would choose their own destiny and chart out their own path.

True to the prophetic speech, the transformation was completed after nine months. The Bengalis were finally freed and a brand new nation called Bangladesh born on 16th December 1971. Subsequently this new born country joined the international community of nations, the United Nations as its 134th member state.

Ever since then no Bengali leader has ever come to the forefront with such zeal and nationalism as Sheikh Mujibur Rahman. His dynamic and enterprising leadership combined with his lofty spirit remains unparalleled till today. his was truly a character built of a different and rare mould.

In retrospect, it has been over half a century since Netaji Subhas Bose pioneered and hoisted the Indian flag in prepartitioned India, which nobody can deny, and 25 years have elapsed since Bangabandhu Sheikh Mujibur Rahman delivered his famous speech on the 7th of March 71, at Dhaka, and this also is true that the green and red flag of Bangladesh flies high today mainly because of him.

#### electoral reforms to restore the concept of democracy as it is supposed to function. Among grassroots Local Bodies level other things, the Electoral whether he (or she) wants to Reforms accepted by the Cabibe a candidate for the Presinet include: 1) the elimination dent, the Senate, the Assemof ID cards, the reason given blies or the local Bodies Counthat bogus ID Cards led to large-scale bogus voting, and

second election between the first two candidates with maximum votes if no single candidate has secured more than 50 per cent majority. In every constituency the will of the majority must express its support for a candidate. This will make the country more united at the basic level as both the candidates and the voters will have to move out of their ethnic, sectarian and "clan" lines to get a majority, i.e., there will have to be a

Thirdly, while we must have sorb problems of gigantic proportions. He had the maturity and steadfastness that the day

> his place. On 7th of March '71, he was sure of himself. Hundreds of years of subjugation and ruthless exploitation of the Bengalis were coming to an end. his dream of a prosperous and emancipated Bengal was just round the bend. Sheikh Mujibur Rahman knew where he was leading his people unto. He was gambling at enormous

circle, from prison to the defacto head of the people of East Pakistan or for that matter the whole of Pakistan, with his overwhelming 167 Assembly seats behind him. On this tension laden day, the great leader was once again face to face with his people. The atmosphere of the day was electrically charged and volatile. the cross-currents generated out of the events leading to this day was tremendous. But Sheikh Mujibur Rahman was no ordinary man -- years of sacrifice and struggle had given him the capacity to ab-

demanded of him, and he held