

Relaxing Under the Caretaker Government

by A M A Muhith

FOR the last two years we have been under severe strains. Since March 20 of 1994, we have been visited by successive bouts of expectation and frustration. The nation has suffered grievously and the economy has paid very severe tolls. We have also experienced a number of denouements although there has been only one tragedy. The first climax was the failure of Sir Ninian's mediation effort. The second climax was the en masse resignation of the opposition coalition after a tense pre-resignation force in the chamber of the Speaker. It was followed the next day by the momentous announcement in a remote village by the Prime Minister of her concession on resignation before election. All of 1995 was spent on negotiations, floating of balloons, dramatic concessions on both sides and a final election schedule was announced and revised and re-revised. There were rumours about strong intervention by the ambassadors of donor countries and speculation on last minute agreements. But oh no! One party election had to be held and it was the first of its kind even though we had a short-lived one party rule years earlier. This was also one of the most rigged elections even though it was an uncontested election.

As for myself, giving up my short encounter with party politics, I was very disturbed, then frustrated and finally annoyed in December 1994. I regained composure and was encouraged in March 1995 as differences between the two camps appeared to have narrowed. But then as it led to no resolution I decided to forget about the whole thing like a true escapist. Like a cynic I did not pin any hope on Ishtiaq formula nor on the initiative of G5. I was convinced that the resolution has to come from direct negotiations between the challenging parties. The prospects seemed propitious in early 1996. But there was the final collapse on January 14, 1996. The election of February 15 woke me up. It was an affront to the nation but the powers-that-be had no anxiety nor any compunctions. Our hopes were rekindled as the talks began only to be frustrated soon afterwards. As the people's movement gained momentum I was tense and restless. I spent hours around Janata Mancha looking for some hopeful signs. The passage of a constitutional amendment for the caretaker government, even though flawed, once again inspired hopes. But there was no relenting as the credibility of the illegitimate government had dropped below zero. On March 30, I rickshawed back home to my normal routine, relaxed and optimistic. Though the composition of the Council of Advisers was indignantly delayed I felt good when it was finally announced. This is what we needed, a council of sane and respectable people that can inspire confidence and stability. We are not looking for subject matter competence even though on that count also the team will probably score high. What we are looking for is a team with good reputation for integrity, committed to adherence to norms of civilised conduct and determined on execution of laws without fear or favour. They will conduct a free and fair election and, of course, carry on the day-to-day administration which had virtually ceased for a while.

It is indeed a pity that we have to sacrifice so much for a caretaker government. This is not the way a democracy should operate; elected leaders should rule during their tenure and then test their strength in free and fair election. But this was not to be at least for Magura by-election; our elected leadership was certainly not good enough to face a fair election and if need be to hand over power peacefully. It is interesting, however, that the two races of election in our old history as cited by the Chief Adviser in his first address show that both the leaders

emerged from national crises, one from Matsanaya and the other from Habsht military misrule. In both cases the country had great leadership that ushered in two golden periods of our history. The consensus rulers were indeed great choices.

Professor Fazlul Halim Choudhury, whose sudden death we condole now, was a dear friend who used to drop in occasionally at my place without notice, particularly if he would be very agitated. On March 15 it was one of those days and both of us were agitated and concerned. We carried forward our discussions in a better but uncertain mood at a dinner on March 27. The anxious question was what was the delay for. It was perhaps two or three days before his untimely death that we talked

different from what they appear in the public eye. But surely a contribution can be made to the definition of possible tasks. This caretaker government unlike the last one has replaced a party in power who came to office with a mandate but then bungled it in its eagerness to hold on to power against popular wishes. It has replaced a highly partisan government which politicised every institution in the country. Further, it has replaced a government which earned a distinction for being incompetent and avoiding decision-making. In fact, it has replaced a government who were not willing or prepared to govern and took the reactive role of a minority party suddenly thrust into power. Thus the problems it faces are very difficult.

presence in the field should be strengthened. In addition to the offices established at thana levels there should perhaps be eight regional offices for the 64 districts. The regional offices may be set up not as permanent offices but as election time additions. The Commission, to be in a position to supervise its field offices better, could also be a body of three members, one of whom can function as the Secretary.

Third, the electoral laws need some revamping in the following areas: for preparation and enforcement of a code of conduct, for regulating post-poll disturbances or difficulties (it is provided for pre-poll or post-poll period), for suo-moto cognizance of vote irregularities.

A hundred only. They hold the entire campus hostage and give bad name to student politics. They are legally associated with political parties, thanks to Ziaur Rahman's regulations for political parties. Recently, at the behest of the BNP most professional associations have been turned into fronts of political parties. This has certainly been prejudicial to professional interests. Anyway, the umbilical chord between students and political parties must be cut. Students should have their own politics as they mostly used to have in my student days.

The recovery of arms will require the willing cooperation of the three major parties - BNP, AL and JP; the fourth one will have to toe the line. They

black laws, separation of judiciary or activation of Ombudsman are for the elected government to consider. The caretaker government at best may prepare position papers on these subjects as advance preparatory action.

With a change of government many appointments become the point of focus. It is customary for political appointees - in whatever post they may be - to tender resignation as their party leaves office. It does not happen routinely in Bangladesh and a caretaker government has to take the unpleasant step of recalling or removing them. A tradition should be established and all political appointments should be terminated with the installation of a caretaker government. Institutions that have been defiled by partisan inter-

lagged, Revenue collection has suffered and also public expenditure has been short.

The economic actors have bounced back vigorously and it seems that production loss may largely be recouped. Some difficult problems need special attention. In February and March scheduled food imports were about half a million tons, but it could not take place. Another about 400,000 tons were due in the following three months. Perhaps overall need will be larger and hence food import and food movement need special care. The distribution system for fertilisers should be revamped particularly to eliminate political rent seekers. The quantity that dealers can lift and the credentials of dealers should be judged according to efficiency criterion. The loss and or inef-

may involve commitment on future retail price for energy supply.

In the financial sector ideas on arrangements for restructuring the equity of the commercial banks should be re-examined. And urgent steps should be taken to enact regulatory laws already greatly delayed. Legislation relating to bankruptcy, fair trade practices and financial courts were cleared long ago but the 'Ost-rich policy' of the government have held them up. They should be cleared urgently. The caretaker government perhaps will not be able to initiate any new privatisation move but they should give priority to preparation of cases so that the elected government can reach decisions rapidly. In fact, it should be a job for all sectors to make an assessment of the situation and provide for alternative courses of action or strategy choices. Such exercises should be carried out by individual ministries with inputs from relevant other agencies and also from outside the government.

We have no five-year plan now, we only have some indications of a fifteen-year perspective plan. A plan of the kind we have followed in the past has become irrelevant. We have done well in producing sectoral policies and visions. But for the economy as a whole some vision and targets for the short-term are necessary as a frame of reference. The caretaker government will not produce it but it may initiate the work. It will also have to carry forward the participatory perspective plan exercise filling in the crucial gap of institutional underpinning. Some methodical work on the structure of the local government (virtually an extinct species now) and division of powers and resources between the national and local governments may be left by the caretaker government to look act and deliberate.

Corruption in high places has become a fact of life in Bangladesh and such corruption needs deterrent action. The last caretaker government had also to deal with this subject, but investigations did not catch big fishes except only one. The normal law of the land should apply in the case of such cases but investigation needs separate arrangement and procedures. A body like a commission on good government should be considered as a permanent institution with constitutional standing. Neither the Bureau of Anti Corruption nor the Ombudsman (when appointed) can take care of the issue as it concerns high-level leaders of government. Prompt investigation, adequate powers to withstand high level pressure and authority to pry into secrets and informal arrangements are essential for successful pursuit of corruption at high places. So the caretaker government between scylla and charybdes; it cannot take up the institutional question nor can it beg the question of prompt investigations. Perhaps in the tradition of the last caretaker government it should make some special arrangements for initiating investigation rapidly and leave for its successor dossiers of cases for which evidence must be collected last before they are destroyed or doctored. They can also formulate some thoughts for a permanent institutional arrangement which can be considered by the next government.



Shops remaining shut for days

on the telephone. I was very relaxed and mentioned that I do not have a worry in the world; everything will fall in place. I asked, 'Don't you see the promptitude with which everything has returned to normal? Doesn't the proverbial Bengali resilience amaze you?' Fazlul Halim was not so sure. He promised to debate the issue when we meet next. Now I wonder what was in his mind, what actually was bothering him. The Vice Chancellor, that is how I always addressed him, was a great man, a man of strong convictions and a friend of all his students. I consider him the most distinguished Vice Chancellor in the country in many years. A leader with a commanding presence, and above all a true and affectionate friend Professor Choudhury will be missed very much.

It is about 10 days the caretaker government is in office. They started a vigorous arms recovery drive which has, however, lost its vigour. They have started the process of reconstituting the Election Commission. Some administrative changes have also been made and a policy for redeployment of field officers is being worked out. This is fine, only that speed is of essence. The period for completing the election is short and more importantly the momentum of the change must not be lost. Economic activities have surprisingly bounced back and recovery of lost production is very much within reach with a little extra effort and possibly some help for the lost export orders.

There is a minor controversy about the responsibility for the Defence portfolio and it should be resolved quickly. It is unfortunate that the BNP saw it fit to limit the authority of the Chief Adviser by providing for direction of the portfolio by the President during the tenure of the caretaker government. This is a perverse and mean provision in the amendment and should be corrected legally in the first session of the parliament to be elected. But meanwhile, the President should voluntarily hand over the portfolio to the Chief Adviser who for all practical purposes is the Prime Minister for his tenure of office.

It is presumptuous to prescribe a charter of duties for the caretaker government because many problems as we see them are not exactly as they seem to be. Also it is difficult from outside the system to have a total or comprehensive picture and priorities may be

On top of it this time around there are no unanimity of views on any issue between the contending parties. For example, while by and large the actions of the permanent civil servants in declaring allegiance are considered laudable an patriotic, the affected party has chastised them for such behaviour and even threatened violence. Khaleda Zia made the mistake of taking a fresh oath of office on February 19 and constituting a new cabinet. This government did not have any public support and was based on fraud and hence could not claim the allegiance of the civil servants. Once her government lost its caretaker status the civil servants were forced to take a position and express their solidarity with the people. It should be remembered that they served the caretaker government of Khaleda Zia loyally and was driven to the wall when the chance of political resolution was not there anymore.

The caretaker government is required to distance itself consciously and demonstrably from the government whom it has substituted. It should be remembered time and again that the caretaker government is the fruit of people's movement and not an unwilling concession from the party that was in power for the last five years. A perception of continuity is inescapable, of the last government is detrimental to free and fair election. Such a perception, I am afraid, is slowly gaining ground perhaps for the wrong reasons such as slow but careful measures of change. This should be rectified promptly. A great deal of emphasis is placed on redeployment of government personnel. It has more of a demonstration effect than substantive impact except where termination of partisan functionaries is concerned. This should be a prompt undertaking.

Free and fair election is the mandate of the caretaker government and hence this must receive the highest priority.

First of all, some measures should be taken to correct the electoral rolls. Election offices in the field should be authorised to allow corrections for a limited period. In order to ensure authenticity of such corrections an appellate body should be constituted at the field level with representatives of judiciary and civil administration and the Commission.

Second, the Commission's

ties, for speedy disposal of electoral cases, and for expanding the control of the Commission on local administration and coercive agencies immediately with announcement of election schedule.

Fourth, the Commission can achieve a great deal in containing electoral expenditure. Besides rules and regulations and punitive action, the Code of Conduct is extremely important in this respect.

Fifth, there is the question of eligibility of the bank credit defaulters for the election. It seems that the law which has lapsed cannot be tightened for the upcoming election and would have to be simply reauthorised. The BNP has given a cushy deal to the defaulters who contested the force of an election on February 15 (mind that there were reportedly 57 of them). The new candidates cannot rightfully be discriminated by some stricter provision of law. So we have lost an opportunity to regulate, not eliminate, black money.

Sixth, the system of electing women members indirectly should be changed for forthwith. They should be elected on proportional voting system, something that we followed in 1954 for the election of the second Pakistan Constituent Assembly. I gather that an appropriate law for this purpose was prepared by the last caretaker government; this needs to be recovered from the shelf. I presume some gentleman's understanding has been or will be received from the Commissioners so that they are made ineligible for any public office on conclusion of their tenure. A Commissioner, however, can be considered only to fill in as the Chief Election Commissioner.

The most important task for ensuring free and fair elections is the control of the so-called mastans. In the olden days they used to disappear at the thought of fair elections. But these days it is very different, they have been armed to remain active and they are not easily likely to hide in the caves. Mastans usually do not have political commitment; they care for their patrons. The Sarbaharas have demonstrated this fact in the Magura by-elections. The most difficult and effective mastans are the 'golden boys' of the higher educational institutions. I was told by many in the University of Dhaka that they are well-known, they are patronised by sections of coercive agencies of the government and they are very few in number—about

must agree to allow the enforcement of law without fear or favour and must pledge not to intervene on behalf of their supporters. Simultaneously, the leaders of the coercive agencies, including the intelligence agencies, also have to agree to discard their clients. They must disprove the rumour that they are a source of arms supplies. If this two agreements can be reached the rouge cops can be flushed out and made dysfunctional very easily and recovery of arms can be successfully completed. The country can be divided into a few zones and a concerted operation can be undertaken in all of them. The police force is the most competent body to undertake this operation and they can call upon the BDR for any support. This zonal division can be the precursor to break-up of the centralised police force in time to come. Police work must be a responsibility of local government with criminal investigation and record keeping being handled centrally. But that is not perhaps a matter for the caretaker government.

The law and order, suffered heavily in the uncertain times and the rule of law does not seem to operate for the powerful and the influential. Flagrant violation of laws by those in power is an open invitation to break-down of order in the society. The position has by itself improved because naturally man is law abiding. A stronger fillip to rule of law will be provided by a successful arms recovery programme. If the agreement of political parties on arms recovery and the hands-off policy of coercive authorities for mastans are executed, natural obedience to laws will flourish. Further steps regarding reclamation of

ventions and earned the reputation of Aagun stables (e.g. the Public Service Commission) should be cleaned up fast. A very delicate problem is created by the cases of reemployment of civil servants which are in the nature of extensions of service. Many of them may not be political appointees in the true sense of the term but they stand somewhat tarnished for having secured a favour. These cases perhaps have too be dealt with on a case by case basis. The real solution to this dilemma lies in complete discontinuation of extension of civil servants and raising the retirement age to at least sixty. In that case, all extensions can be safely treated as political appointments and dealt with like other political appointments. Of course, a policy decision on extension and retirement age is not for the caretaker government to initiate.

In the economic arena, no government can stand idle in normal times. And these are not normal times. For 40 days in 1995 and 30 days in this year production loss has been nearly total in the organised sector. The port of Chittagong was closed for 33 days. This coupled with the transportation strike also affected the traditional sector. Fuel shortage developed in many places, fertiliser crisis was aggravated, food import virtually stopped and public works programme in the heavy work season suffered immensely. There has been some significant export loss with the threat of loss of market. Reform programme has suffered, for example, privatisation has no made much progress, retrenchment of surplus staff has not been done, various enabling laws and regulations instead of being enacted have gathered dust. Aid commitment and possibly disbursement have also

efficiency of the industry (which is mostly in the public sector) should not be subsidised by the farmers. Steps should be taken to provide opportunities for income in the rural sector. 45,000 tons of foodgrains were to be distributed under VGD and 270,000 tons under FFW in the first three months of 1996; for the next three months the respective tonnage are 50,000 and 170,000 tons. I am sure there has been substantial shortfall in the implementation of these programmes. They should be vitalised and expanded and Union Councils should be given some special role in planning and implementing these programmes. At thana level public participation may be sought through ad hoc steering committees.

For the industrial sector and possibly for the trade sector as well the problem is one of working capital and limited rescheduling of loan repayments. The commercial banks will be required to be flexible and may need refinancing support. The export industries most likely will need some assistance for a couple of months. Emphasis should be placed on rapid ad negotiation and donors must relent on possible low level of aid utilisation. The pipeline has been thinning and the trend must be reversed. An extremely difficult situation persists in the energy sector and this is not really because of what happened in 1996. This is due to the utter incompetence of the regime and it was complicated perhaps by corruption. There is a severe power crisis as capacity in all sub-sectors has remained virtually at the same level as in 1990. The caretaker government will have to move beyond the routine to take the bull by the horn. Power shortage will drag the economy down significantly if not handled boldly and promptly. This



People thronging to the Janata Mancha

— Star photo



Salinity Zone Expands

by MM Kaiser

WITH the gradual weakening of the upstream flow of the river Padma, salinity zone in the country's southern and south-western regions continue to expand.

Scientists are now detecting evidences that salinity which has already wrought damage to the ecology in the coastal districts of Khulna and Satkhira is advancing further upwards, gripping the adjoining districts like Magura and Narail.

A recent survey, jointly conducted by six government organisations in Magura Sadar thana, found salinity in 72 per cent of total arable land of the area crossed the permissible limit.

During the survey, some 92 samples were collected after classifying the soils of the thana into nine categories. After analysis, experts found that 62 samples contained high salinity.

Increased by 45 per cent compared to the year 1948. Agronomists at the Bangladesh Agriculture Research Council (BARC) expressed concern that the invading salinity threatened fertility of land in the affected areas.

Soil fertility declines rapidly if irrigated with saline water. Salinity level in rivers drops with heavy rain and increased flow in the upstream. But what worries most that salinity in soil is not washed away easily.

Experts cautioned increasing volume of farmlands were facing permanent damage due to continued irrigation by saline water from rivers. If the trend continued, they said, a large chunk of arable land alongside the rivers in the country's southern region would lose its fertility.

Besides irrigation and natural intrusion of river water into adjoining soil, extensive shrimp farming in arable lands is taking the situation to an alarming proportion.

An expert forecast that the underground water in the greater Faridpur, Noakhali, Comilla, Barisal and Pabna regions would soon fall to the grip of salinity.

A correspondent in Patuakhali, quoting experts at the local office of the Water Development Board, reported that salinity in the rivers of Patuakhali and adjoining areas had

Even the industry is not spared by the invading salinity. Rising salinity in the river Rupsha and Bhairab in Khulna has seriously affected the heavy industries using river water in that area.

According to experts, salinity in those rivers is currently five times higher than normal position. Sources at the Bangladesh Agriculture Research Council (BARC) said the rate of salinity in the rivers of Khulna and Satkhira areas had already surpassed 2000 PPM against a maximum acceptable limit of 480 PPM.

Particularly during the dry season when salinity worsens, industries in Khulna, including the country's lone newsprint mill, have to fetch sweet water from the upstream at high cost. The power station in Khulna is also doing the same.

Water Development Board officials attributed the increasing salinity partly to withdrawal of water of the river Padma at the Faraka barrage point. They explained saline water from the sea was intruding into more and more rivers due to weak flow in the upstream.

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