

## Living up to the Legacy

OUR declaration of independence from the then Pakistani suzerainty followed their enactment of a genocide on us on the night of March 25, 1971. So, the background to it was one of wholesale atrocity, brutalisation and destruction of lives and property which were to steel our nerves into taking the road to freedom.

In that survival context saving lives could be the only preoccupation but then our true mettle came out to blend it with a resolve to attain territorial independence through an armed struggle. So, it is basically the spirit of freedom which we celebrate today with a deep sense of gratitude for the blood and tears our compatriots had to shed.

We rejoice in recalling the demolition of socio-economic barriers in the face of a common danger in those fateful months, which fostered unprecedented unity in our ranks. The potential is still there to use in right causes.

We attained political freedom not as an end in itself but as a means to an end. We were required to strive for a polity that could accelerate the pace of our economic development with distributive justice as its focal-point. A truly participatory, accountable and transparent democracy, complete with a local self-government system, was envisioned in the Constitution of 1972, itself a crowning glory of a successfully fought Liberation War.

But the institutions of democracy which had atrophied through autocracy earlier on have not been given a chance to operate fully on their revival after the downfall of Ershad regime. Parliament has been ineffective for the most part — thanks to the opposition walk-outs, boycotts and the ruling party's unidirectional law-making process.

That's why our independence day supplement is thematically devoted to the cause of strengthening the institutions of democracy which are in a state of limbo even nearly three decades after independence. It is not enough to have elected parliament, the challenge is to make them work. Our hard-earned freedom and democracy have no use for show-pieces.

The best way to live up to the legacy of national independence would be to abide by democratic norms and practices, render the judiciary free of executive control and give autonomy to the government-controlled electronic media.

## Why Think of Hartal?

AS the opposition alliance's self-proclaimed and, highly appreciated, one-month suspension of agitation programme nears its end, we are faced with the bleak prospect of yet another dose of confrontational, and needless to say violent, politics. After a refreshing hibernation, both the ruling and the opposition parties appear raring with renewed vigour, and vengeance, to square up, as usual, not on the floor of the House but on the street. The BNP-led alliance has not quite used the 'recess' for either retrospection or introspection which might have led to a rethink on the hartal strategy. Its primary objective still remains 'tougher' programmes to "compel the government to go for early general elections" with hartal as the weapon. Negotiation has no place on its political agenda.

Recently, the BNP chairperson's instruction to the grassroots activists to prepare for the upcoming polls inspired in us hopes. Her call, tagged it was with agitation plans, struck us as a welcome shift. The opposition's renewed call for 'tougher' programmes however diminishes the possibility for a peaceful way out of the gridlock. We only hope we are not back to square one. Evidently, the opposition has failed to realise how appreciative people have been of its decision to keep their programmes in abeyance for March, taking into consideration the SSC exams, Eid-ul-Azha and US President Bill Clinton's visit. The fact that hartal actually harms the people they claim they have been fighting for has not dawned on them.

Those few weeks of peace have certainly engendered goodwill in the public mind. The opposition succeeded in convincing people that they were sensitive to popular wish. Now, a return to destructive mindset would result in the negation of that public support. We would expect the opposition to understand that and rethink their confrontational strategy, if not for the love of people then for their own political gain.

## Fire in Shanties

A huge fire engulfed a vast area at Mirpur on Friday afternoon. This left a trail of devastation in the area causing tremendous hardship to people and huge financial loss to traders of garments waste. Around 400 shanties, 150 looms for Benarasi saree and 20 godowns and warehouses of garments waste have been completely gutted. Fire fighters with the help of eleven fire engines had to fight for three and a half hours to bring the situation under control. The Bangla months of *Falgun*, *Chaitra*, *Baishak* and *Jaishtha* are prone to fire incidence primarily because of the dryness of the season and the blowing of the northerly wind that help spread fire. In Mirpur the fire might have been caused by a flame from a cooker that spread within a short time. People of the area complained about the late arrival of Fire Brigade which has been a normal feature in such emergencies. This was denied by the fire fighters who blamed the crowd for the latter's slow movement. People also blamed the police for reaching the spot late and thereby enabling the looters to make hey which was, as usual, denied by the police.

There is the other side of the story also. Locals have held the warring factions in the garments waste business responsible for the fire. Since the season has arrived we need to take precautions against fires in and around the city. The fire department must remain vigilant round the clock. At the same time, members of the public must play a responsible role in handling open cookers and other gadgets and appliances. One has to remember that however small a fire may look at the start its devastating potential can never be underestimated.

# Independence Day Special

## Role of the Speaker in Making Our Parliament Function Effectively

by Mahfuz Anam

The positive aspect of the past experience is that both parties have suffered in the hands of partisan Speakers and as such should be aware of the type of benefits that will come from a truly independent one. The bad side of it is that our political parties appear to have extremely short memory and, when in power, forget what happened while they were in the opposition.

House via political parties but for whose nomination many would not have been elected. Therefore party dictates become an integral part of the functioning of the parliament. Thus the role of the party whips become a serious impediment to the independent functioning of individual MPs. Thus there is an in-built conflict of an MP functioning as an independent 'elected representative' of the people and a member of a political party whose injunctions are binding on him or her according to our Constitution. The loyalty of a MP to his electorate and to his party are often at cross purposes in which case the MP is obliged to uphold the interest of his party and not that of his voters. This is most dramatically demonstrated when either the AL or the BNP when in the opposition decided to boycott the parliament. Most MPs want to participate in the workings of the House. In fact, they privately say that they are losing ground with their electorate, and yet they do not have

the courage and the means to go against the party dictates without losing their MP-ship.

Given our system, how free is a Speaker from his party control? There are direct and indirect controls, and, of course, the overt and covert ones. The problem here lies in the relationship the Speaker has with the party that first gets him elected to the parliament and then makes him the Speaker. Given our tradition of politics and the fact that he may want to get re-elected to his seat in the next election naturally makes him subservient to the party dictates and forces him to compromise the independence that his office demands. In the United Kingdom the problem has been solved by obligating the Speaker to resign from the party that elects him or her, and then ensuring his or her re-election (if so desired) by both sides not putting up any candidate from where the Speaker wishes to stand. Thus the Speaker is set totally free from

any party obligation or control, and with his political future assured, he can discharge his duties as the Speaker without fear or favour. In the case of Australia the Speaker is not obliged to resign from the party, but is freed from attending all party activities except those in his or her constituency. In both the cases of UK and Australia the most important thing to understand is that all political parties in these two countries understand the role the Speaker needs to play. Knowing that they allow him or her to do the job without expecting directly or indirectly any partisan action by him or her. That tradition has not developed in our parliament where the nominating party expects the Speaker to come to its aid as when needed. We have two glaring examples of Sheikh Razzak Ali's handling of the MP resignation issue and Humayun Rashid Chowdhury's handling of the floor crossing by the two BNP MPs.

Linked to the ways a Speaker

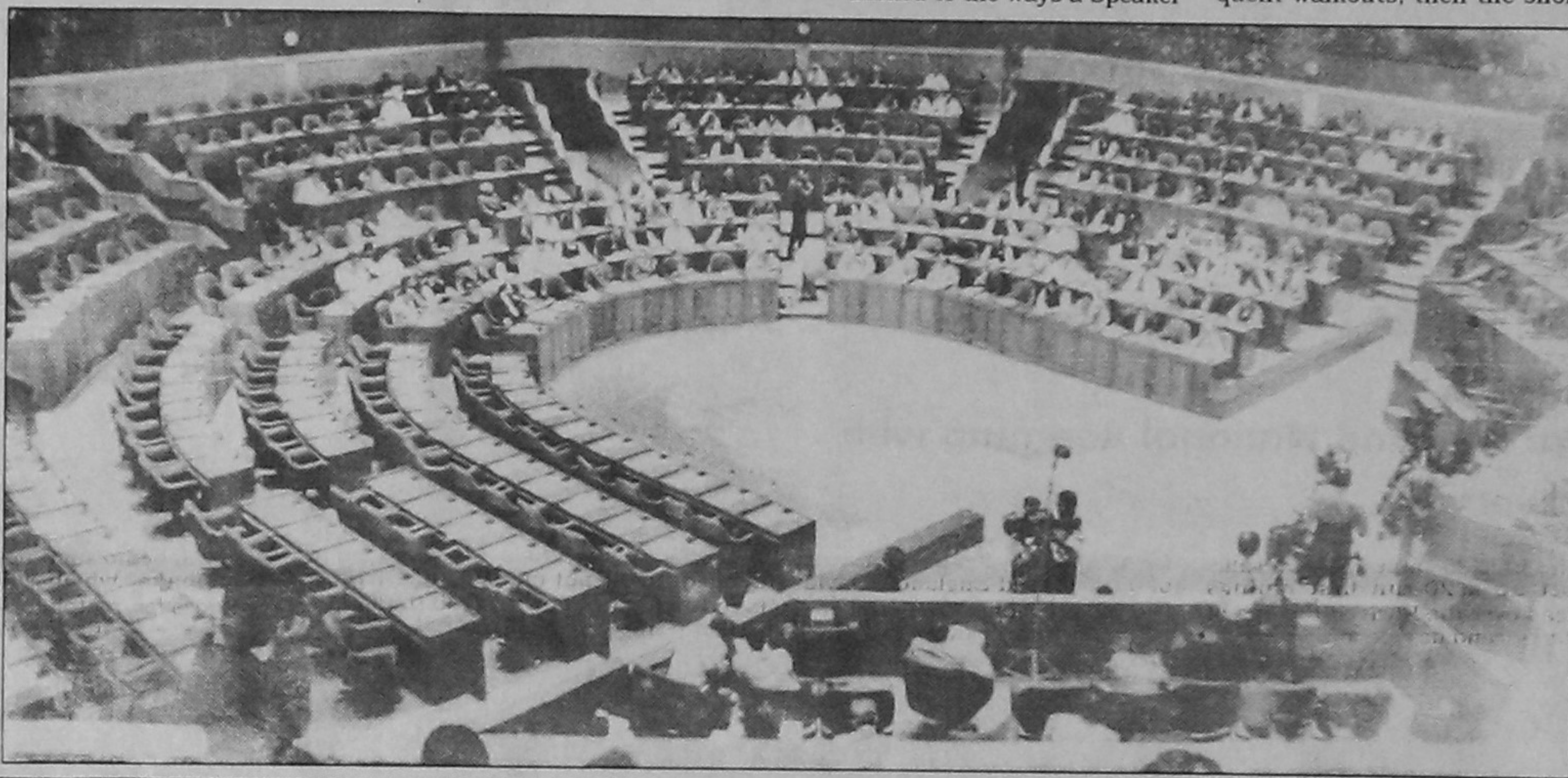
interprets the rules and runs the House is his moral role in the House. Above everything else the Speaker must be, and visibly appear to be, fair, impartial and independent. He has to earn the confidence of the whole House, meaning all members, especially those belonging to the opposition. In his office all members must have equal access and equal treatment. He must uphold the principles of democracy as no one else and should emerge over time as a source of moral authority not only within the House but for the general voters as well. Ruling of the Speakers should set norms that will and must guide the deliberations of the future parliaments.

Whatever may be the records of our two Speakers as far as their legal roles are concerned the fact is that both failed miserably to set the moral high standards that their office demanded. Both failed to gain the confidence of the opposition, which resulted in first the frequent walkouts, then the short

boycott followed by long boycott and finally the resignation by the AL-led combined opposition. BNP-led opposition (both parties had the same two partners) is now one step short of the final stage. This failure to gain the confidence of the opposition lies at the core of why both the Speakers have failed to run the parliament in any satisfactory manner. We lost the opportunity of making the 5th and the 7th Parliament fully effective. And the reason in both the cases was the impression of the opposition that they were NOT getting a fair deal in the House. The Opposition felt that its wishes were not fully protected and the majority party with active connivance of the Speaker trampled their rights.

We agree that much of the opposition behaviour is rooted in the same partisan political tradition that has plagued our politics from the start. But what is to be noted here is that the Speaker's role — in both the cases — has been considered inadequate not only by the opposition but also by the public in general. Over time both the Speakers suffered from a lack of public confidence in their neutrality. They failed to generate that critical public image of having risen above their party politics and of holding independent views and discharging their duties without fear or favour. We have had to pay a very high price for this failure. The question that we must address today is that how can we prevent the mistakes of the past and ensure a more independent role of the Speaker in the coming Parliament. The positive aspect of the past experience is that both parties have suffered in the hands of partisan Speakers and as such should be aware of the type of benefits that will come from a truly independent one. The bad side of it is that our political parties appear to have extremely short memory and, when in power, forget what happened while they were in the opposition.

We believe that the time is appropriate to hold public debates on how the Speaker can be assured greater independence in discharging his role and that we should seriously examine what has been adopted in the House of Commons. This point we consider to be of critical importance for a proper functioning of our Parliament in the future. Otherwise we will be stuck with dissatisfied opposition as we have been in the 5th and the 7th Parliament.



## Politics of Misgovernance

by Mansoor Mamoon

The very first pre-condition for Bangladesh to do away with the existing misgovernance is to make a desperate bid to come out of the cocoon of the autocratic political leadership, who tries to rule a free people with mental make up of colonial days. Only a new generation of leadership free from feudal remnants and myopic vision can facilitate building solid blocks for good governance.

pledged by the major political parties for unimpeachable time is yet to be implemented. Similarly, the electronic media are yet to attain autonomous status and the print media are facing many hurdles in objectively protecting their views. The law and order situation, which was never good since liberation, has now reached the nadir. Creation of an elite class, the comprador bourgeoisie, at the expense of public exchequer continues unabated. Corruption is rampant and endemic. There is no transparency, no accountability at any layer of the government. Bureaucracy functions in a secretive way standing as a barrier to speedy and positive decisions as it used to during the British and the Pakistani days. Good governance basically implies rule of law, empowerment of all segments of the people, efficiency, transparency and accountability of the government, decentralisation and devolution of power to the popularly elected autonomous local government institutions and equal opportunity for all which alone can ensure effective and productive participation of the people at the grassroots level. Good governance also implies the presence alongside of a strong voice of civil society represented by media (press, radio and television), trade unions, professional bodies, NGOs, sports and cultural organisations, social welfare institutions and various religious groups.

The failure of good governance in Bangladesh has, in its turn, weakened the developmental capacities of the state and has had a destabilising influence resulting in the gradual destruction of cohesion of the polity thereby creating wide divide and confrontational attitude. This has also its telling effect on the economic plane. Heavy dependence on aid brought about consequent dilution of state sovereignty in directing the development agenda and were largely misused for political gains and patronisation. Till 1974, Bangladesh received 2.5 billion US dollars worth of foreign assistance.

Under Marshal Plan the War ravaged Germany was half of that quantum. While Germany has emerged as world economic power Bangladesh, despite so much of foreign aid, is relegated into an LDC. Economic misgovernance is the natural corollary of political misgovernance. It is axiomatic that good politics is the precondition of a good economy. The economy of Bangladesh is not sound and is staggering as because its politics is not, and was never on a sound and healthy track.

Continuous denial of democratic rights, was the immediate factor that triggered the War of Independence. But from the very start democracy, for which shed so much of blood, was not given a fair play. There was the megalomaniac, pulverised and hypocritical tendency to monopolise everything including Bangladesh's epic saga for independence, in which the masses irrespective of party affiliations played their part heroically. The rulers which replaced the Pakistanis started to treat the country as their fiefdom gradually negating all fundamental political and economic rights. The long spell of fifteen years of military rule had been no different from its kind elsewhere. It had all its accompanying evils. Ouster of military autocracy in December 1990 through a protected mass struggle, did not much improve the situation. The elections of February 1991 and June 1996 were both held under a non-party neutral caretaker government. Both the elections once again proved that such hustings alone do not ensure a democratic government.

As the BNP, which formed the government after 1991, was intolerant of the opposition, so also the Awami League, which succeeded after June 1996. In both the parliamentary elections the people, conscious as they are, elected a viable opposition (in fact, in both the elections no party got single majority, but had to seek other parties' support to form the government — the BNP sought Jamaat's support, while the Awami League had to enter into

some sort of coalition with Ershad's Jatiya Party in the name of a government of national consensus) with the hope that there will be proper check and balances. But the hopes of the electorates were dashed to the ground. Democratic culture were not allowed to flourish. Both the fifth and the seventh Parliament, which were supposed to ensure transparency and accountability, became ineffective and nonfunctioning due to prolonged boycott by the opposition. This mainly resulted from intolerance and non-accommodation of opposing views by the ruling parties. Those who claim to have restored the usurped franchise of the people through institutionalising elections under caretaker government will not feel complacent if they seriously ponder over the apprehensions expressed by the discussants at a recent seminar to the effect that the next polls might not as fair and peaceful as the previous two because of the present confrontational attitude of the two major parties.

The civil society in Bangladesh, which could have played a catalytic role in building and strengthening democratic institutions through mass mobilisation also failed to come up to expectations as its voice has so far proved to be feeble because of the fact it could not effectively extricate itself from the influence of the major political parties. According to Professor Allen Betty of London School of Oriental and African Studies, in a democracy the political parties are servants, and not masters, of the civil society. Because the political parties have the roots and stem from civil society. Where there is no civil society but only politics it means that particular society has no solid foundation of democracy. In Bangladesh the civil society faces the constant challenges of encroachments by the political parties in a bid for domination.

As a result most of its components have been largely corrupted. For example, there is devaluation of higher learning,

professionalisation of student politics, degeneration of educational institutions, devaluation of professional classes, politicisation of trade unions, teachers organisation, bar councils and administrations, repeated attempts to control the NGOs, refusal to decontrol electronic media and win over the print media as well as socio-cultural bodies by various overt and covert means so on and so forth. The civil society's main function is to bring about compromise, rapprochement and rapport between divergent political parties by exerting pressure on them to heed to public sentiments. As the civil society in Bangladesh could not attain that position, it failed, therefore, to bring the ruling party and the opposition to the negotiation table both during the BNP and the AL rule despite its several attempts.

The result is the continuing political stand-off and confrontation with their cumulative fall out on the common people in the form of frequent shutdowns, smashing and destruction of public and private properties, political vendettas and vengeance and blocking of economic activities aimed at further impoverishment of the mass people. This self-destructive process began in the early nineties and continues unabated till today. As Bangladesh is celebrating its first Independence Day of the new millennium a serious soul-searching will be the imperative for the conscious segment as to how long it should put up with the politics of misgovernance. With the ailments of misgovernance firmly entrenched and keeping the basic norms of democracy at bay, can Bangladesh hope to effectively meet the challenges of the global mega trends of the new century which will essentially be based on technological advances in the fields of computerisation, informatics, communication sciences, robotics, genetic engineering and material sciences?

In the knowledge-driven economy of the 21st century the one and only formula before the

community of nations will be — to quote Michael Lemonick — "Learn or Perish?" Is it not yet time for our leaders to learn from sweeping changes that is fast taking place all around, feel the pulse of the people and properly understand their common aspirations? When will they learn that democracy is consensus coming out of debate and difference, that without any viable opposition there cannot be any democracy, without democracy good governance remains a utopia and that the country belongs not to any particular political party but to the people in general, whose choice determines who shall be at the helms of affairs and who should be in opposition and both sides will equally contribute their share towards the progress of the country by being responsive to the mandate they have received?

A new brand of educated, dignified, self-respecting, pragmatic, open-minded, nationalistic, tolerant, progressive looking, pro-people and democratic leadership alone can extricate Bangladesh from the vicious cycle of old-style feudal politics having the sole intention of grabbing power. No political party worth its name in Bangladesh, whether left, right or centrist, practices inner-party democracy or what is democratic centralism and it still goes not by its programmes or ideology, but by the personal, charisma or clout of its leader, who is regarded as the supreme and the shibboleth of difference with his or her opinion, whims and caprices is liable to bring about one's downfall (for example Tajuddin Ahmed's exit from the cabinet in 1974, K M Obaidur Rahman's expulsion from the BNP in the eighties and Dr. Kamal Hussain and Kader Siddiqui's ouster from the Awami League in the nineties).

The scenario of the political parties in Bangladesh is being dominated by this persistent all-pervading one-man-one-show and personality cult since independence. Good governance can not logically be expected from such a set up where infusion of new blood, new ideas and new thought process are encouraged. So the very first pre-condition for Bangladesh to do away with the existing misgovernance is to make a desperate bid to come out of the cocoon of the autocratic political leadership, who tries to rule a free people with mental make up of colonial days. Only a new generation of leadership free from feudal remnants and myopic vision can facilitate building solid blocks for good governance.