

This is Not the Way

BANGABANDHU'S murder is one of the greatest tragedies that befell this nation. The man who led us to independence lay assassinated by a few ambitious mid-level army officers in connivance with a few capricious politicians. For nearly two decades his murderers were kept above the law by a most shameful and grotesque constitutional amendment — the so-called Indemnity Ordinance. This ordinance forbade any legal action against those who killed Sheikh Mujib, his wife, three sons and many other members of his immediate family — 23 persons in all — in spite of the fact that some of them proudly proclaimed to have done it. For good 21 years after the event there were no attempt to bring the killers of the Founder of our State to justice during two governments of Gen. Zia and Khaleed Zia, and the nine-year rule of Gen. Ershad. In fact, the nation had to wait for the Awami League to gain power to see legal action against the self-confessed killers and others involved in the murder of Bangabandhu.

All this we recount as an attempt to understand the frustrations of the ruling party in seeing continuous delay in the due process of law taking place. However, we must express our absolute shock at what the ruling party did and said yesterday and the day before. We are one with the AL in wanting to see justice done against those who killed our supreme leader of the Liberation War. But we must strongly protest what is being done in the name of trying to carry out justice. What happened yesterday and the day before are direct intimidation of the higher judiciary, and we cannot accept it.

The present AL outburst is directed at one particular judge expressing 'embarrassment' — meaning his inability — to try the case of appeal by those condemned in the Bangabandhu murder case. What the judge did was a well established legal practice. The way to correct that is to take recourse to the same judicial process and see to it that the next judge is appointed quickly and the process can move along speedily. But to hold public rallies against sitting judges, and to intimidate them with all sorts of direct and indirect threats — 'Those, who refuse to try the killers of Bangabandhu, will be tried in the court of the people', and the like — cannot augur well for the rule of law. The acting president of the ruling party and a sitting minister went as far as urging the President to remove judges who felt 'embarrassed' and replace them with those who can 'ensure justice'. Foreign Minister Abdus Samad Azad urged the people to identify those 'obstructing' execution of the death sentences of the killers. There cannot be a more direct pointing of finger at a sitting judge for his action, which, however unpalatable, must be respected.

What the AL did in the last two days will further alienate the judges and more of them may express their 'embarrassment' simply out of fear. They may quite justifiably feel that they are not really free to exercise their judgement, and that what is being sought is only a validation of what the lower court did and not review of the original judgement, which is what an appeal is all about.

However disappointing and frustrating, the AL leaders must follow the law. So far Sheikh Hasina has received a lot of praise for allowing the normal courts and normal laws to operate in this case. Now some of her overzealous party leaders are spoiling the goodwill and public support that she has so carefully and meticulously built around this case.

Stop this intimidation of judges and assault on higher judiciary. This is not the way to get justice, far less to establish the rule of law.

Towards Corruption-free Politics

WE are heartened by the finance minister's positive response to the increasing demand for audit of accounts of the country's political parties and enactment of a law to control political 'contributions'. We are totally in agreement with his view that such a law can only come into being through consensus amongst the legislators from both sides of the aisle. We hope that the minister's views will find echo in the opposition camp and it will, either through a statement or otherwise, let the public know of its position on the issue. Then, the people will know that there is a convergence of opinions in this regard.

Over the years, lack of transparency and accountability has rendered our national politics a breeding ground for corruption. Political leaders, irrespective of their party affiliations, have been linked with shady business deals, questionable political and electoral funding, and the likes. Although there have been a lot of allegations, successive governments made no attempt whatsoever to institute any check-and-balance mechanism. Yes, in the case of election expenses, the Election Commission has set a ceiling which, unfortunately, is hardly abided by. In our editorial comment on Tuesday, we have said that the ceiling of Tk three lakh is unrealistic and proposed that it be raised to Tk ten lakh. But the government must ensure that the EC has necessary human resource and logistic support to carry out audits of the expense records submitted to it by the candidates.

In the just concluded Bangladesh Development Forum meeting in Paris, corruption was at the top of the agenda. Our developing partners have anything but a positive image of our institutions. On the whole, we have suffered and will continue to suffer unless, as the finance minister put it, there is a 'concerted effort to eliminate corruption from the society, economy and politics'. However, we believe that the cleansing should begin with our politics and that can only come about with institution of a system that requires funds and assets of each and every party and its leaders accounted for and audited regularly. Once we have that system in place, it will have a chain effect on other quarters. In other words, corruption-free politics hold the key to a corruption-free society and economy.

Women in the Sangsad: A Call for Action

by Rehman Sobhan

THE Mohila Parishad recently organised a demonstration demanding elected representation of women in the Jatiya Sangsad and later joined with FEMA to hold a seminar on the same subject. CPD, in collaboration with SAP, organised a dialogue on this same theme, several months ago, which was attended by the Law Minister. This issue of electing women to parliament has, indeed, been on the table since the tenure of the BNP regime. I have, over the last decade, been invited to a number of seminars on the subject organised by women's groups and also some newspapers. In all these meetings it was pointed out that a well thought out, precise and pragmatic agenda for legislative action should be drafted as a basis for initiating public dialogue. It was agreed in all these meetings that, based on an agreed draft bill, all the women's groups as well as other civil society bodies and individuals committed to gender justice should come together as part of a national advocacy campaign to persuade both the Prime Minister and the Leader of the Opposition to support the bill. This article argues that the time is now maturing to take this agenda of electing women to parliament out of the seminar room and into the centre of the political arena.

I had, in fact, written on the subject of political empowerment of women in a book I had published in 1993 on **Planning and Public Action for Asian Women**. I had argued for the need to create opportunities for women to seek political power both as elected representatives as well as voters. Even where political parties are led by women who may wield great power in the organisation such organisations tend to be dominated by men. As a result, women were heavily under-represented in parliament in relation to their numbers as well as their contribution to society and the economy. To compensate for this exclusion of women I had suggested the need for affirmative action in the political arena with a view to encouraging women to become more active in party political affairs and in conscientising women about their role as voters.

In Bangladesh, at least, women have already demonstrated that if given the opportunities, they are willing to interest themselves in political affairs. Most of the problems associated with malgovernance directly impact on their lives so that they are no less inclined than men to seek corrective action from our political leaders to improve their conditions of life. Thus, in the 1996 election, when an active effort was made by civil society activists and some political parties to bring women to the polling booths large numbers of women came forward to vote so that as high a percentage of women as men cast their votes. The big jump to

75 per cent in the proportion of votes cast in the 1996 election was largely attributed to the increase in the number of women coming to vote compared to previous elections. More recently, the new Union Parishad (UP) Bill introduced by the present government which assigned 30 per cent of the seats in the UP exclusively for competition by women met a very positive response from women as both candidates and voters. Today we have some 12,000 elected women sitting as members of the UPs. Even though they complain of being marginalised by the as yet male dominated UPs they are learning on the job and may expect to be a lot more visible in local affairs by the end of their term.

Notwithstanding these visible responses from women in Bangladesh's political arena, parliamentary politics still remains a male dominated affair. To break into this male dominated polity it is thus, essential for women to accu-

policy issues relevant to their lives, in casting their votes for women. Otherwise the traditional male dominated party mechanism would still exercise a strong influence in persuading the general electorate to simply vote for a woman nominated by a party for the women's seats rather than to pressurise the women candidates to demonstrate what they would do for the empowerment of women in general.

This concept of women elected by women received a mixed response when propagated by me in various seminars in Dhaka organised by women's groups. My critics argued that women should be elected by the general electorate and should commit themselves to the concerns of the entire constituency rather than exclusively to women's issues. I recognise that the idea of two votes for women may generate controversy so for the moment let us concentrate

tending the old legislation nominating women to the Parliament or tabling new legislation, the time is now propitious for a renewed initiative to get women elected to parliament. To this end, I would like to join my voice with other women's groups concerned with the issue and suggest that Rabeya Bhuyan's bill in the Sangsad be either amended or replaced by a new bill designed to create 100 additional seats to be exclusively reserved for women. A further 100 seats in any case will need to be created sooner or later since the population of Bangladesh was only 75 million when the constitution for an independent Bangladesh was approved by the legislature in 1973 to elect a house of 300 members. Now that we have a population of 130 million the electorate also needs additional representation commensurate with the increase in the numbers in the voter's role. Another

application the 100 women's seats should be made to overlap with 100 general constituencies. However, the designated woman's constituency should be rotated over the three forthcoming general elections. Thus, for example, in the 8th Jatiya Sangsad, the Rajshahi 1 seat would be kept reserved for women so that Rajshahi 1 would have two members elected to the 8th Sangsad, one from a general seat and one from the woman's seat. For the 9th Sangsad, Rajshahi 2 would be the woman's seat and for the 10th Sangsad, Rajshahi 3 would be the woman's seat. As a result of this provision, over three general elections, every single one of the 300 Sangsad constituencies would have had a double representation, through an additional seat for women over the life of one parliament. This arrangement would make the election campaign less demanding for women than contesting across an entire district and would also give them a con-

Bangladesh, particularly in the rural areas, at being able to vote women into the highest seat of power in the land would be a revolutionary step forward for not just Bangladeshi women but women around the world.

If this agenda for getting 100 women elected to the Jatiya Sangsad is to move forward the time is ripe to press forward with this issue. The 7th Sangsad will have to table a bill on this issue by March 2001, since the old bill will have reached the end of its life. Unless an alternative bill is tabled we may end up with having the life of the old bill extended by another 10 years whereby women will continue to be nominated to the Sangsad. If we are therefore serious about the issue then I would appeal to all the political parties, major women's organisations, concerned NGOs, civil society activists, the media and concerned individuals to collectively pool their resources to draft such a bill and have it tabled in the 7th Sangsad as an all party legislation. Perhaps a National Citizen's Coalition should be formed to frame such a bill and pilot it through the political and legislative process. Such a coalition could then take on the task of mobilising public support and initiating intensive consultations with the political parties represented in the Sangsad who should be invited to commit their support to the bill.

In such an exercise a special attempt should be made by the coalition to persuade the Prime Minister and the Leader of the Opposition to jointly table such a bill in their name to assure its passage through the Sangsad. Such a gesture would be a historic step forward not only for the empowerment of women in Bangladesh but also for the cause of democracy. The fact that both these leaders are women bears repetition because their very presence as leaders of the two principal parties, who have both held the office of Prime Minister of Bangladesh, gives a visible evidence that the people of Bangladesh have politically acknowledged that there is no ceiling to the political aspirations of our women.

The move from the seminar room to the political arena is a major step forward for civil society which will require dedication by its prime movers, courage, patience, political finesse but above all, perseverance. The problem with most efforts at advocacy by civil society is that activists lose interest because they cannot afford to spend enough time to see an issue through to its conclusion or tend to move on to other issues. A bill for election of women to the Jatiya Sangsad deserves both priority and commitment from civil society. If they cannot carry this movement forward through a total commitment of their effort the credibility of civil society will be at stake.

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on getting 100 women directly elected to Parliament.

In the light of the new laws reserving seats for electoral contest by women in the UPs, my suggestion is no longer a particularly radical idea. To bring women into the Jatiya Sangsad all that is required is to extend the principal of affirmative action for women's representation from the UP to the Upazilla, and Zilla Parishad, and finally to the Jatiya Sangsad.

However, to reserve seats in the Sangsad for women would require new legislation. This was anticipated by Barrister Rabeya Bhuyan, an MP nominated by the Jatiya Party, to one of the 30 reserved seats for women in the present Jatiya Sangsad who has already tabled a Private Member's Bill on the issue of women's representation. As far as I know this bill seeks to create 64 new seats, one for each district, to be contested exclusively by women. The fate of this bill remains in limbo particularly since it is a Private Member's Bill which does not originate from the ruling party.

The matter of women's representation in parliament has now assumed some urgency since from April of 2001, the tenure of the present legislative arrangement permitting for 30 women to be represented in Parliament through indirect election by the MPs will have expired. Thus, a new legislative arrangement will be needed if women are to find a place in the 8th Jatiya Sangsad, to be elected in 2001.

Given the need for either ex-

isting 100 seats reserved for women will not threaten any existing MP as is the case with similar legislation pending before the Parliament in India. There the bill proposes that a proportion of the existing seats be reserved exclusively for women. This has generated resistance from the males who dominate the Indian parliament who would have fewer seats left to contest. The idea of 100 additional seats, as suggested in Bangladesh is thus likely to generate less resistance than in India. It will however, be useful to learn from the Indian experience in trying to pilot such a bill through their parliament in order to design a more saleable and winnable agenda.

Reserving 100 seats exclusively for women has raised the practical question of how these 100 seats would be delimited. If, in practice, three general constituencies are amalgamated into the women's constituency, the load for a woman candidate contesting across and representing three constituencies, may be too heavy a burden. I suggest that to resolve this problem with minimum com-

stituency which they could serve. In representing one constituency an agreed division of labour would need to be worked out with the MP elected from the general seat otherwise there could be scope for conflict between the two MPs representing one constituency.

Since there will be intense competition by all constituencies to be selected for contest by women in the 8th Sangsad, it is proposed that a public lottery be held on the floor of the outgoing Sangsad to determine how the 300 reserved seats will be distributed over three successive general elections. This lottery should be structured by region so that the Sangsad would have a regional balance in the constituencies selected for representation by women. My suggestion on the mode of delimiting the women's constituencies and defining the basis of the lottery, is only a suggestion which should be exposed to public debate where other better suggestions may be forthcoming.

Whatever may be the ideal modality for electing women to the Sangsad, we must recognise that a 400-member Sangsad with 100 women elected through political contest would not only change the face of the Sangsad but over the next 15 years could change the face of politics as well as transform the social power of women in Bangladesh. A class of women activists, used to contest for votes at the grassroots, a class of women workers who would emerge to support these activists and the excitement amongst women voters around

NEXT PARLIAMENTARY POLLS

New Hopes Emerge with BNP's Decision for Participation

by A R Shamsul Islam

The indication that the next parliamentary elections will be participated by the chief Opposition BNP is a welcome relief to all, particularly the Awami League. Elections unless participated by major political parties can never be meaningful and acceptable. The voterless, rival candidateless city corporation polls of Chittagong held recently has caught the Awami leadership somewhat perplexed and guessing.

THE wind of the next National Assembly elections seems to have started to blow. The main opposition chairperson Khaleed Zia has taken up tours of campaigning. On the first leg she has covered the South-Western districts. On the next leg she is criss-crossing the Chittagong Zone.

The speech that she has delivered at innumerable meetings on the roadside and the main venue of public address contained a different ingredient. While not forsaking the old agenda of oust-the-government movement she has urged the people to be ready to face next parliamentary elections projecting her local party leaders before the crowd giving a signal that nominations for elections will be accorded to persons from amongst them.

It is learnt that of late the BNP has modified its strategy. The party has realised that the old programme taken over a year last, of one-point movement of ousting the government, has gone flat causing widespread frustrations among the hardliners comprising mostly the defeatists of 1996 elections and the turncoats who joined the BNP after switching off loyalty to their old parties.

The latter, believably, dazzled Khaleed Zia with a vision of ousting the government by mass agitations. The BNP chairperson perhaps felt romantic about recapturing power well ahead of the expiry of the tenure of the present government. But the hardliners' vision of street movements could neither win sympathy of the public nor it could match the counter movement of the ruling party to pre-empt the roads. Frequent call of hartals without popular issue by the opposition combine led by BNP added to the woes of people increasing risk of alienation of BNP from the masses.

Still worse was the effect of the boycott of municipal elections. Ignoring majority opinion of the party leaders and activists who emphatically advised for contesting the municipal polls as these were concerned with the question of influence of BNP leaders in their locality, the top party leadership, obviously misled by the obstinacy of the hard-liners, did a costly mistake. Its much-hyped threat of resisting the holding of municipal polls aborted.

However it is better late than never. The BNP leadership has realised its mistake. To remove the frustrations of the party-men the chairperson has called upon them to prepare themselves for faring well in the coming elections. They are asked to ship-shape the party and increase its mobility. Taking cue from the BNP, Jatiya Party (Ershad) chief H M Ershad is taking up a massive tour to make his men aware of the national polls. To defeat the Awami League in the next parliamentary polls an electoral alliance among the members of the party combine may also shape up in time.

The Awami League must have the card of national polls strategy under its sleeve. It is supposed to bear an agenda about when and how to spring up for actions. Regarding the probable time of national polls the party chief and Prime Minister has given out different versions at different times. Over a year back she hinted out something like a snap election towards the end of 1999 or in the early months of 2000. Some time later she said that as the main opposition BNP was not co-operating her government would stay in power till the last day of its tenure. Further, while addressing the journalists she

once observed, probably in a lighter vein, that she would hold parliamentary elections at a time that would suit her most to win. However, she has already sent green signals to partymen to take up polls jogging.

Emboldened by the failure of the Opposition combine headed by the BNP to resist the municipal polls the ruling Awami League has taken up a programme of going ahead with upazilla elections. But this time the Election Commission has put up a brave and confident face. Since the last three-four months the government is pressuring the Election Commission to announce schedule of upazilla elections. To that effect the Ministry of Local Government sent letters to the Election Commission. The LGRD Minister announced time and again that upazilla elections would soon be held. However, the Election Commission did not respond in the manner the government desired. The Commission held one or two meetings in this regard but ultimately decided to prepare first new voters' lists.

The PM is visibly dissatisfied with the Election Commission. In a mid-February public meeting at Paltan the PM told that they were ready to participate in the upazilla polls. But the Election Commission was not giving notice about the elections. Despite this the Election Commission sits tight on its decision of completing compilation of new voters' lists prior to announcing upazilla election schedules.

In fact the Election Commission now seems firm in its resolve not to let its image further suffer in the eye of the people. The Opposition has long accused the Election Commission of siding with the government. The Chief Election Commissioner, otherwise a fair and strict man, who was a target of attack by the opposition, has gone on long leave akin to his retirement.

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Democracy takes time to take root. It is through years of trials and errors that democracy can be reached. In Bangladesh that process started but unfortunately had to face a backward march by the advent of military and quasi-military rule. The last ten years of democratic rule with more than enough of teething troubles is now showing some rays of hope amidst profound darkness. The shift in the policy of the BNP to take part in the polls is pregnant with a triple benefit. First, this will instill a realisation among the political parties that a government elected by the people should be allowed to serve out its full term of five years unless an express situation demands otherwise. Secondly, boycotting the parliament is meaningless. On the other hand vigorous participation in parliamentary proceedings by the opposition is what the people have voted it for. In this way the parliament will turn out to be a hub of national political activities. Thirdly, this will be minimised the incidences of hartal and allied destructive activities which will in turn contribute to the growth of national economy.

The writer is retired Principal, Gout Mohita College, Pabna.

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To the Editor ...

Nikunja RA, RAJUK and our politicians

Sir, It is quite a familiar phenomenon that some politicians and influential people of this country very often try to rip off unethical benefits just by virtue of their positions and influence. In pursuit of hoarding their fortunes, they don't care about the well-being of the common people and the country as well. This statement has been buttressed by a recent news item published in a reputed newspaper of the country. According to the news item, 'RAJUK' has recently decided to allot the more attractive plots of newly planned 'Nikunja Residential Area' first among the ministers and MPs, and then arrange a lottery on the remaining plots for general public. According to the same

source, 'RAJUK' allotted the plots earlier to the winners through a lottery three years back and already published the list of the allottees. Therefore, wider this new situation, many people who had been allotted the plots earlier might be deprived of their right. And the most outrageous thing is RAJUK's complete apathy towards any compensation for the deprived ones. This news not only enraged me but at the same time, flabbergasted me by the level of unscrupulousness of our political leaders.

It is known to all that Bangladesh has recently been identified as the most corrupt nation in the world (by toppling Nigeria). We also know that 'corruption' is going to be one of the buzzwords in the recent meeting of the donor countries in Paris in deciding the fate of our country. However, this 'Nikunja' incident indicates

that amid all these clamour against corruption, our politicians have hardly changed their usual postures. This letter is not a mere product springing out of a fit of anger, rather it echoes smouldering frustration (of an expatriate) over the future of this nation. It is our usual apathy and attitude that has worsened the situation and we are in a way helping a few privileged persons to exploit the common people more and more. I urge all the conscientious people of the country to raise their voice against this crime as they did recently on protesting the 'Osmany Uddyan'. Please don't let these corrupt people get away with such corruption and build their fortunes over the sweat and blood of common people.

Zafar Hadi
Los Angeles, California, USA

Lest we fail our destiny

Sir, The storm over the tea cup that brewed during and after the half a day visit of US President Bill Clinton to Bangladesh has cast an apologetic apophrya. Our ostrich like attitude, diplomatic myopia and muzzy approach have exposed us completely as antipodes, unworthy of grace and goodwill, an anti-climax to general expectation. Yet, this should serve us as a lesson.

Our country needs careful handling of its affairs by experts and not by novices to secure an honourable place. Poverty should not be an apology for our failure to ensure quality of life for our people. It is the attitude towards poverty that needs to change. We should remember that one can build a castle on a pebbly beach but

may not guarantee its safety and security; there is always a danger of missiles.

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Enhancing our missions abroad

Sir, It is being increasingly noted in the local press that there is a tendency for ministers and senior bureaucrats in Dhaka to travel abroad regularly to attend routine conferences, down-playing the regular role of our missions abroad.

Under the global village concept, such travels can be curtailed by allowing our missions abroad to play more participatory and leading roles to pre-

sent the case for Bangladesh; otherwise the very purpose of the existence of a mission in a particular country is minimised (under-utilisation). In this IT age, the communication link is better and faster. Routine diplomacy should not depend too much on personalities, as the foreign service is designed for representation abroad.

Travel-itch is a human weakness. Shortage of foreign exchange is also a weakness. Combining the two weaknesses cannot result in a stronger output. The culprit, as always, is the lack of political will. Why powerful political regimes lack this vital ingredient for good governance? Because, to resist temptation is another weakness!

A Husnain
Dhaka