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

Dhaka, Friday, July 21, 2000

### Misfortune for Rule of Law

CHITTAGONG police has been rapped on the Uknuckles by Prime Minister Sheikh Hasina for their failure to arrest the culprits of the 12 July mayhem in which eight persons, including six BCL activists were killed off, allegedly by Islami Chhatra Shibir elements. The reprimand came at a review meeting of Chittagong district and metropolitan law and order committee which the PM presided over on July 19. The policemen in an apparently 'kid-glove' raid have since hauled up some two dozen suspects who unfortunately are not named in the FIR lodged with them. Well over a week has elapsed since the dastardly incident took place with another murder committed in the sequel and yet the police's manhunt has not yielded any definitive results. The Prime Minister may have reasons to be annoyed with the progress of things.

Yes, we share her concern over police's role vis-avis the deteriorating law and order situation in Chittagong and also her agony-filled reaction to the wanton killing of BCL cadres on 12 July. But we cannot say the same thing about certain observations she made at the committee meeting and the pandering she did to some BCL old guards with dubious dis-

tinctions, to put it mildly.

The prime minister has been quoted in reports published by some prominent Bangla dailies as saying that for one more deadbody there would be ten (on the other side). If others could take up arms, why can't you, seemed to be the vein she took. It defies our understanding as to how she could bring herself to accept the presence of some listed terrorists among BCL cadres at the review meeting she held with the police! On being invited into the company of the prime minister with the police officers on hand they must have felt like some invincible VIPs on a new lease of life.

The most quotable quote about the prime minister has been that terrorists are terrorists, they cannot have any party identity to flaunt. Yet in actual fact we have seen a partisan line being almost invariably taken by herself and her home minister when it came to any litmus test. This has happened in an overwhelming number of cases. In fairness to the home ministry, however, it has to be said that they did arrest their partymen or sympathisers in certain instances but in pursuing the cases they proved perfunctory in the end. And as it happened after the Shikkha Bhaban incident, the arrested BCL goons were treated with extraordinary courtesy at government hospital belying their status as accused.

The PM's utterances in Chittagong are essentially illustrative of her failure to distinguish between her role as prime minister of the country and that as the chief of the Awami League party. Her velvet-glove approach to the criminal elements in her party coupled with the call for reprisals she has apparently issued in Chittagong are not the stuff of which good governance is made.

Her language and attitude as exemplified in Chittagong cannot be conducive to the rule of law. Rather they read like an invitation to slanging matches we can and must do without. Her position as Prime Minister is too sacrosanct for such things. She has to realise that.

# Why Go to Elections, if Not to Parliament?

HE election drums are beating again, and the great festival of democracy is coming soon. The fanfare of populism will fill the air with sounds of mikes, bullhorns, and human hollers, blaring out the mesmerizing shibboleths of electoral dreams. Once again politicians will come to the people, and offer them tea, cigarettes and cold cash in the quaint tradition of political dupery.

And the preparations are underway already. The opposition political parties are busy forming an alliance to contest the ruling party. The ruling party has started with a euphoriant budget and is discussing autonomy of radio and television and the separation of the Judiciary to quickly fix the loose ends of last

election promises. But why is this tight fastening of the loose knot? Why go through this elaborate ritual of democratic catechism if it must turn futile in the end? Not a single of the seven parliaments since independence has had an effective opposition sitting through its term, either because the ruling party domesticated it or because it boycotted the parliament. If elections are democratic means to do away with the crisis of rule, how are they useful unless the elected representatives stay in parliament and speak for their constituencies?

There is also the valid question of legitimacy, whether a representative elected to office by the mandate of the people can aban-

Election and parliament are two sides of the democratic spirit and one side is incomplete without another. Responsible voters and regular elections are necessary conditions of a democratic process but those alone are not sufficient when elected candidates do not come to parliament. In fact, it's a joke that they hold on to all the benefits of the elected office, while estranged from its main duties.

don it on a whim. An election is a covenant, which a candidate enters with his constituents and it can be terminated only in the event of his death, abdication or removal. But refusal to attend the parliament violates that covenant when the elected official acts ultra vires to the mandate of the people and overextends his

.Let us understand that elections are a popular way of solving the most critical problem of all political orders: succession. Who should rule in what manner and by whom or how he may be replaced or deprived of power have created controversy and conflict throughout history. The hereditary monarchy gave no definite answers to these questions. In primitive tribal societies, tribal chiefs or kings were sometimes selected as a result of ritual tests or the display of magical signs and proofs of divine origin, usually as determined by the tribal elders or magical leaders. In certain cases, a principle of heredity, often diluted by a choice among heirs in terms of physique or warrior ability, was applied.

That takes care of how to select, and who will rule. As to the techniques for the removal of ruler, sometimes he would be

killed after a specified period or when his magical powers weakened or when his physical prowess or health failed. The ruler also was exposed to periodic tests of his magical powers or required to accept challenges to combat from other qualified candidates for rule. In some cases, the elders could remove him from office.

tion is the United States, where the constitution lays down the process of replacement of a president in the event of his death, disability or degeneration.

Election is the third principle of modern succession. In cases of closely contested elections or where there is doubt as to the

## Crosstalk

Mohammad Badrul Ahsan

The modern world has arrived at four main techniques to assure smooth transfer of power, which are: (1) heredity, (2) constitutional prescription, (3) election, and (4) force. Hereditary succession is now confined to a few Arab states and the constitutional monarchies of Western Europe. Heredity may be reinforced or modified by constitutional prescription: this was the case, for example, of the famous Act of Settlement that secured the Hanoverian succession in Britain. A leading example of succes-

sion by constitutional prescrip-

validity or proper form of the election, the result is often a disputed succession. The Great Schism in the papacy in the 14th century and the disputed succession to the elective kingship of Hungary in the 16th century are examples of the failure of elective systems to assure an orderly succession. The most frequent forms of succession by force are revolution or coup d'état. Other forms of violent political reaction include civil war and secession. resistance movements and rebellions, guerrilla warfare and ter-

rorism, class warfare, and peas-

ant revolts.

But the boycott of parliament is a crisis of rule under itself. It is an intermediate between succession and sedition, a suspended animation of political showdown, which reduces a democratic exercise into a deplorable sham. If we use analogy of human anatomy to explain the situation, parliament is comparable to the motor functions of human brain. The left half of the brain controls the right half of the body, whereas the right half of brain controls the left half of the body. Just imagine the damage or disorder in one half of the brain, and what it must do to its corresponding half of the

Likewise, when the opposition boycotts the parliament it puts democracy in a wheelchair. George Bernard Shaw ridicules democracy in Man and Superman written in 1903, "Democracy substitutes elections by the incompetent many for appointment by the corrupt few." The boycott of parliament by the opposition impairs the efficacy of democracy as it shows the incompetence of a segment of the electorate, whose mandate is undermined by the imprudence of its own electees. In the end, it turns into incompetence of the entire

electorate as democracy stews in The elections are coming, and

the political climate is heating up again. This time before the voters decide on whom to vote for, they must decide whether to vote at all unless the candidates commit they will honour the sanctity of elected office. Economist Joseph Schumpeter defined democracy as a political system whose leaders are chosen through regular elections in which candidates freely compete and virtually the entire adult population is eligible to vote. But when chosen leaders abandon the parliament, they not only diminish democracy but also show that elections are an elusive hunt for succession that never succeeds.

So election and parliament are two sides of the democratic spirit and one side is incomplete without another. Responsible voters and regular elections are necessary conditions of a democratic process but those alone are not sufficient when elected candidates do not come to parliament. In fact, it's a joke that they hold on to all the benefits of the elected office, while estranged from its main duties. It's like some one enjoying all the perks of his office without having to go to work. The voters, who are the ultimate custodians of democracy, should carefully consider if they should vote for candidates who will boycott the parliament. Let us boycott the boycotters, because no parliament will make more sense than empty parliament!

## Western Sahara

# The Dispute between Morocco and Algeria

HE question of Western Sahara has remained dormant for quite some time. Indications are that the question is about to come before the international community. In the very recent past a special envoy of the King of Morocco has visited Bangladesh and met the Prime Minister Sheikh Hasina. The laconic statement from the Government of Bangladesh stated that among the subjects discussed was the question of Western Sahara. The visit of the Moroccan envoy would indicate that the authorities in Morocco are ready to launch a fresh diplomatic initiative on this dispute.

The question of Western Sahara is a little over a quarter century old. It was exactly in 1974 that it burst upon the world scene. Until then Western Sahara, which has a border with

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From the visit of the Moroccan emissary to our Prime Minister, it would appear that Morocco has launched a diplomatic campaign for integrating Western Sahara. It is noteworthy that the campaign has started close on the heels of the election of the new Secretary General of OIC. The new Secretary General is a Moroccan and the Foreign Ministers meeting in Kuala Lumpur had to bend the rules to accommodate the new Secretary General.



Sahara.

Spain, which left an indelible mark of Moroccan civilisation on Spain. Indeed thanks to the occupation of Spain by Morocco, that Renaissance reached Western Europe, which till then remained

in utter darkness. As Spain was planning to withdraw from Western Sahara, she made a deal with Morocco, behind the back of Algeria. Is vividly recall those years. I was resident Ambassador in Algiers and was concurrently accredited to Morocco. There was extreme jealousy between Morocco and Algeria and to present the credentials to the King of Morocco, while residing in Algiers, was quite a feat. In 1974 I failed in my first attempt to present credentials. I was, however, amazed to discover that in Rabat, the capital of Morocco, the only subject loudly talked about was Western Sahara. In Algiers with the tightly controlled state media, not a word had filtered regarding this fast

developing crisis. In the very sparsely populated The Horizon This Week Arshad-uz Zaman

Western Sahara, Morocco moved in with her forces, as the Spanish soldiers departed. President Houari Boumediene of Algeria had a violent reaction, mainly because the whole affair was enacted behind his back. Masterminding the entire action from Algiers, Polisario guerillas were raised to fight in the inhospitable desert of Western Sahara. Military action has been few and far between. It is specially in the diplomatic front that the two neighbours Morocco and Algeria have continued a strenuous campaign. Finally it has come to the lap of the United Nations. The UN has appointed a succession of mediators but there has not been any progress worth mentioning. In other words there is stalemate on the question of Western

No worthwhile natural resources has been discovered in Western Sahara. It is supposed to

be rich in fish, there is talk of deposit of iron ore and other minerals. However, the entire region is a vast desert with very few people living. There has been peoples, who learly leading the talk of organising a referendum among the Saharaowi people although finding the original inhabitants of Western Sahara, is going to be a very difficult task indeed. It is certain, therefore, with Morocco. It is noteworthy that Morocco and Algeria will have to find a mutually acceptable formula.

With new leadership emerging in Algeria and Morocco, it was hoped that the two countries would shun the path of confrontation and choose the path of negotiated settlement. The new President of Algeria is AbdelAziz Bouteflika and Morocco has a new young King Mohammad VI. President Bouteflika used to be the brilliant young Foreign Minister of President Boumediene and is fully familiar with the Western

Sahara dispute. They young King of Morocco was being groomed by his late father. The two sides have every reason to wipe the slate clean and start talking in a brotherly fashion. Indeed Algeria and Morocco have much in common and are part of the Great Maghreb family. During Algeria's eightyear war of liberation against France, the main camp of the freedom fighters used to be in a border town inside Morocco called Ouijda. There are numerous blood ties between the two

From the visit of the Moroccan emissary to our Prime Minister, it would appear that Morocco has launched a diplomatic campaign for integrating Western Sahara that the campaign has started close on the heels of the election of the new Secretary General of the Organisation of Islamic Conference in Kuala Lumpur. The new Secretary General is a Moroccan and the Foreign Ministers meeting in Kuala Lumpur had to bend the rules to accommodate the new Secretary General. The Charter of the OIC states that the Secretary General can be elected to a second term only. In the case of the new Moroccan Secretary General the former Secretary General

been dumped unceremoniously by his government. The Charter of the OIC does not state that a new Secretary General, although from the same country, can be elected. However, the OIC is tilted heavily on the Gulf Arabs, who believe in the practice of "Rais" (Chief) and pay scant attention to the Charter. From the march of events it

Ezzedine Laraki of Morocco has

would be possible to speculate

that Morocco may be tempted to involve the OIC in her Western Sahara dispute with Algeria. For the last quarter century Algeria has tried strenuously to solve the dispute bilaterally and as a last resort has allowed the involvement of the UN. Algeria would surely vehemently object to the involvement of OIC in her dispute with Morocco. This is for no better reason than that OIC is tilted heavily in favour of Morocco. In fact Arab monarchies play a major role within the OIC and the involvement of this body would be viewed by Algeria with extreme suspicion. The precedent for Morocco is the question of Kashmir, which Pakistan, after many years of effort, has succeeded in raising within the OIC and get resolutions passed, that are favourable to her. The only difference here is that India is not present within the OIC, whereas Algeria is very much present.

Iran-Iraq war of the eighties and the Iraq-Kuwait war of the nineties put unbearable strain on the OIC. We can only hope that a new crisis will not be faced by this organisations in the shape of the dispute of western Sahara between Morocco and Algeria.

# Friday Mailbox

#### "Money, Muscle and Election Process"

Sir, It was a pleasure reading the article "Money, Muscle and the Election Process" by Mahmud

Farooque (DS, 15 July). Points made to indicate the caretaker government as "a negative institutional innovation" are indeed thought provoking. I like to add one more basic objection to this innovation: A non-elected body is being superimposed to ensure the election of a democratic government this seems to be a fundamentally flawed proposition. A government which was responsible to run the state's affairs for five long years and a new government to replace it for a similar term have to depend on a non-elected entity for fairness and neutrality! As the article also mentions, this is in the nature of a noconfidence post factor on elected governance.

Second point of mine relates to the lateral entrants in politics. In my view, introduction of new blood in the body politic of mainstream politics should be welcome. Politicians who work their way up should not fear this competition if they had been true to their cause and served the people well. In most cases that does not appear to be so. Question of wealth coming into play, is of course something that need to be rejected straightaway. But is it not true in case of many so-called professional politicians, as well?

The whole question of electing the right people and the good people revolves around the system as well as the tradition and the culture that a democratic process ought to generate over time through trials and errors. The system in our case, as in many others, has been supplanted much too often; the efforts at institution-building and at developing democratic culture have been subverted much too frequently. The process, however, has to continue and the developed democracies have proved it clearly that there is no shortcut the journey has to be undertaken and continued against all odds till the society reaches its desired goals.

> Syed Muhammad Hussain Uttara, Dhaka

Lateral entry in politics

Sir, It is refreshing to note that some informed Bangladeshi expatriates are able to think differently from what our political leaders do in Dhaka ("Money, Muscle and the Election Process" by Mahmud Farooque, DS July 15). Mr Farooque has analysed the pitfalls of lateral entry (at high level) into politics by high profile civil and ex-military officials and loaded businessmen; and has rightly criticised the conception of the so-called neutral caretaker government to conduct the general elections.

Politics in our country has become big business; and the concern of the political investors is how to get back the investment return, and forget about the 'return' of the common masses. The question arises whether the voters should continue to support bipartite politics dominated by two major political parties living on charisma, past history, ego and personality cult. They distort the present self-survival, and the future is classified as daydreams.

The neutral intellectual class in our society are shy of exercising their rights as independent thinkers to openly criticise the myopic political leadership which is misleading the masses with cock and bull ideologies, for personal gain (realising that the have-nots cannot rule impartially). No single leader apparently has the moral courage to

stand on his own feet, without resorting to props at every step.

The next polls should become a platform of new approach to the rotten politics. Political entrepreneurship is missing here and it has to be introduced. The top is said to be rotten, hence new type of political fertiliser is needed at the root level.

What is needed is a new type of fighters who can introduce better political environment, but NOT under the umbrella of the two decaying parties. A third political platform has to emerge (triangular contest) to save the country from the current political leaders, who are in disguise, opportunists and self-seekers. Today's urgent need is statesmanship in political leadership.

A Citizen Dhaka

#### Pedestrians' safety and underpass

Sir, With the expansion of Dhaka city and with the introduction of Rokeya Sarani, Mirpur has become very busy and important. Various estab-

lishments, stadium and human habitations make the area all the more important. Mirpur 10 gol chakkar is the centre point of the area. Four streets from four directions are connected with each other at the road island at Mirpur 10 gol chakkar and through this intersection hun-

dreds of vehicles ply every day. The movement of the vehicles and the crossing of the pedestrians beset the road junction with great difficulty, cause constant traffic jam and

pose grave threat to the members of the public. Everyday the pedestrians run the risk of crossing the very busy roads as there is no underpass or overbridge.

The situation demands serious attention. An underpass is badly needed at Mirpur 10 gol chakkar point. In the modern world, the concept of underpass is more acceptable than that of overbridge. We, therefore, can expect an underpass to be built at this area. If not then a well designed and convenient footbridge should be constructed for the safety and security of the pedestrians as well as for the smooth movement of vehicles.

> Ahmad Mohammad Farukh 324, Senpara Parbata Mirpur, Dhaka-1216

#### Electric power in RMG villages

Sir, The electric power problem in the exportoriented garments factories, in Dhaka and elsewhere (DS report, July 17), can be practically solved to a large extent by relocating the scattered garments factories from the city and residential areas to a number of cluster Garment Villages as envisaged by the authorities, by installing separate power sub-stations fed through 'high-priority' transmission lines.

BGMEA is expected to cooperate and agree to planned moves for relocation. The numerous factories inside the municipal areas in the cities have created social problems, to which the government cannot turn a blind eye. Why the social scientists are silent on this issue?

Unfortunately in this country the authority is not respected: and the unions are instigated to mount hartals and demonstrations on the slightest pretext. Finally the political will is not evident where it should be visible. Why our political system is so weak and unpractised?

A Frustrated Taxpayer

**OPINION** 

### Shifting of Capital Dhaka-a Realistic Suggestion Prof Azam Siddique

The editorial in the "Daily Star" of 11 July 2000 titled "an Amusing Suggestion" has drawn my attention. There are some information which appeared to me as confusing. At the outset I would like to inform that "some of the offices of the 16th Division" of Pakistan Army, as mentioned there, were not stationed in the then East Pakistan after partition. It was the 14th Division of Pakistan Army which was stationed in the then East Pakistan. Some of the elements of 16th Division joined them during our

liberation war. There is no denying the fact that capital Dhaka is crippled today with a host of problems, the most visible being the traffic problem. Most of these crises arose from unplanned urbanization and undue expansion (including vertical). To find out the roots of the crises, it is imperative to look at the history of Dhaka city. Sonargaon was the capital of Bengal from the year 1352 to 1608. The capital was later shifted to Dhaka, which was named Jahangir Nagar after the Mughal Emperor Jahangir. Following the death of Mughal Emperor Aurongjeb the capital was shifted to Murshidabad in 1705/1706. After the historic "Banga Bhanga Movement", Dhaka was a provincial capital for the time being. Again during Pakistan period, Dhaka was the provincial capital of the then East Pakistan. Dhaka was never built

independent country before 1971. Even after 1971, the city developed and expanded on the same infrastructure without

much of plan and foresight. As a result we find unbearable traffic jam in the city, most of it being avoidable. We do not have bare minimum civic facilities. What is the remedy then? Traffic problem of London, Paris, New York etc. were solved by establishment of satellite towns, underground railway and flyovers, implementing effective traffic system, constructing multistoried parking lot and improving public transportation system etc. However, our huge population is also an important factor in this respect. It is fruitless to increase the facilities in urban area without controlling the influx of rural people. However, one may ask how much money is needed to develop the required facilities? And even it is much more, isn't it better to build these systems and make our city functional and comfortable? But then, in the absence of such initiatives, or there being little feasibility for that, the only other alternative is perhaps to shift the capital itself, and this, I believe, what General Mustafiz was talking about.

The proposal given by General Mustafiz to shift the capital may seem "an amusing suggestion" to some. But history reveals that capitals were shifted in many countries over the ages to ensure good governance. During the or expanded as a capital of an

British rule the capital of India was established at Calcutta in the year 1772 which was later shifted to New Delhi in the year 1912. There are examples of shifting capitals even on the basis of seasons as we see British capital at New Delhi shifting to Simla in the summer. Karachi was the capital of newly independent Pakistan. It was shifted to Rawalpindi, then to its present location Islamabad. Recently, the capital of Malaysia has been shifted from Kuala Lumpur to Putra Joya which offers computerized communication system with wide range computer net letter. work and is very much a functional capital. Shifting of capital from Kuala Lumpur to Putra Joya is a model for many countries to emulate. Without drawing any more example it may be said that shifting of capital is not amusing rather realistic and such shifting may be done for the greater interest of the country and its citizens.

The proposal of shifting the capital to Joydevpur is also convincing. Joydevpur is located on high land, which is above flood level and has a good road and rail link with the whole country. The area as a whole consists of huge Khas land and other government owned land. Unscrupulous people are slowly grabbing these lands and exploiting the same in an unplanned development spree. Joydevpur offers a good site for shifting the capital should the need arise.

The question has been raised

about hundreds of thousands of Cantonment has been greatly officers and employees of the government who will have to travel from Dhaka to Joydevpur everyday in the event of such shifting. But what about thousands of students, defence personnel and govt employees, who will have to travel everyday from and to Dhaka if the Secretariat, Dhaka University and Dhaka Cantonment are shifted elsewhere? At present Dhaka University has 28,000 students, out of which only 7,000 are residential. About the difficulties of Secretariat employees, the less said the

the three major establishments the secretariat, the university and the cantonment are shifted to Joydevpur as per the proposal of our Japanese friends. What will happen to the infrastructure of these establishments? How such costly lands and properties will be utilized? Can any one assure that solving the traffic problem? In the huge crises related with the traffic problem of Dhaka will be solved with the shifting of these you cannot solve traffic problem three conveniently located establishments? Convenient because there's comparatively not much traffic congestion around them, specially cantonment. Could Dhaka cantonment be of much help to solve the crisis spread over the whole capital? The traffic problem in Dhaka may be eased up to a great extent as we saw on several occasions when military police was deployed in the city. The traffic congestion in Dhaka

solved by segregation of slower triwheelers from the main road. A lot can be achieved in this respect if the efforts of Police, City Corporation and RAJUK could be put together to follow the model traffic system of Dhaka Cantonment. We can also learn a lot from the examples of Calcutta, New Delhi and Bangkok.

With due respect to the Japanese experts I would humbly like to mention some other issues. It is said "the user knows where the shoe pinches". Many of our own experts have given a host of proposals to solve the traffic problem Then again let's assume that of Dhaka based on their knowledge and experience. But these proposals received less importance since these came from our own experts. Proposals made by Japanese experts are given due importance since these came from foreign experts. Did the Japanese mention other means of fact the Japanese proposal may appear to be amusing because by shifting only the important establishments today these three establishments, tomorrow the central jail, the BDR headquarters, then the Sangsad Bhaban. There are better and cheaper alternatives to solve the traffic problem than shifting establishments. The foreign experts could have been asked about that. How easily we buy foreign ideas and simply do not pay any heed to indigenous ones!

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