

Rule of Law as Development Issue

THIS is not for the first time that three leading trade bodies viz. Dhaka Chamber of Commerce and Industry, Metropolitan Chamber of Commerce and Industry and Bangladesh Garment Manufacturers and Exporters Association raised an alarm over the dire straits in which they find the country's law and order situation. Whilst they have done it with routine regularity in the past, what is, however, especially noteworthy about the voicing of a fresh law and order concern this time around is the SOS signal they are blaring out. They are crying out for an early relief from the havoc being wreaked on them by the terrorists and criminals who pillage the business houses and shopping centres in toll collection forays, not to speak of mugging, way-laying to snatch money, abduction, black-mail and ransom extractions across the board. Goons claiming or having actual links to the ruling party influential for physical about asserting their monopoly over tenders for public works or over lease rights to markets or other service outlets.

The dastardly murders of businessmen have had their peers shrivel into a state of insecurity, which in turn, has reduced the level of their activism markedly.

This gnawing sense of insecurity is adversely affecting business, trade and investment on such a scale that it better now be treated as an economic question going beyond a mere law and order concern. In other words, we would like to see it addressed and tackled as a growth issue, more precisely as a development issue.

This shift from the confines of law and order to the broader domain of development and governance is activated by following considerations: First, foreign capital inflow in the shape of FDIs and multilateral or bilateral funds are on a downslide while outflow in the form of payment obligations are on an upward course. Secondly, local investment is going down affecting the prospect for foreign investment in the country. Finally, in such an overall scenario, eradication of poverty and unemployment will remain a far cry.

So long as the governance is flawed in the basics, which is basically misgovernance, we stand no chance for an economic breakthrough.

Bus Fare Furore

WE believe that, from the very beginning, the government has gone about the task of revising bus and minibus fares in a flawed manner altogether. Its decision to raise the bus and minibus fares by 46 per cent couldn't have been the result of a comprehensive deliberation. The government did claim formation of an 'expert' committee; but it appears now that the experts could not ultimately carry their point. On the ground, the reality remains more or less the same with reports of "unwanted" scuffle between transport operators and passengers pouring in all the time.

Granted, an upward revision of transport rates was inevitable; after all, ten years of unchanged rate cannot be reflective of an efficient price-fixing mechanism. However, in doing so, the government gave precedence to the interest of transport owners over the concerns of passengers. The price hike as such hasn't hurt the passengers as much as unscrupulous profiteering on it by bus and minibus owners has. Happily enough for the latter, the regional transport committees, which are supposed to monitor and enforce the government-fixed rates, remain inactive for various reasons. It is the passengers who have to bear the brunt. Reportedly, they are paying 65 to 85 per cent more than what they used to do before the increase of fare.

Basically, the government had failed to visualise the consequences of its decision to raise the road transport fares. Besides, there are some operational flaws in the current arrangement. For example, not all passenger carriers have been brought under the purview of the price hike, creating thereby serious chaos at the user end. Maxis have their own price-fixing mechanism and so have the air-conditioned passenger services. On the whole, it's sheer disorder at the transport sector.

Frightfully, pent-up passenger grievances could anytime lead to serious law and order breakdown. We believe the channel of communication between the government and the transport leaders is still open and, therefore, should be used to rein in the profiteers from taking the passengers for a ride.

Clearly, the current arrangement for fixing the fares is not functioning properly, which raises a logical question: shouldn't the government deregulate transport fare altogether, allowing market forces to play? We think the option is worthy of being seriously considered except for the fact that government's ultimate watch-dog role over rates and prices has not been dispensed with even in a leading capitalist country like the USA.

Expedite Relief Operations

AS floodwater washed out embankments, swamped villages and marooned thousands of people of the country, there is a crying need for steady the supplies of food, drinking water and medicine to the affected people of Chuadanga, Meherpur, Jhenidah and Rajshahi. They are spending shelterless nights and helplessly waiting for relief goods to eke out an existence. Prices of essentials have gone well beyond the affordability of people in the deluged belt. The number of marooned people is yet to be ascertained by the authorities. Some affected people from the upstream have reportedly crossed over to our side of the border indicating how serious the overall situation is. But the authority is yet to step up relief operations in the affected areas on a scale it should have. This is poor performance despite a warning we had editorially issued to the government on the situation just a few days back.

The concentrated nature of the floods should have enabled us to organise the relief operations much better. We now need a co-ordinated approach to mitigate the acute suffering of the people. The presence of army personnel would help reach succour to the affected people with despatch. As we urge upon the authorities to act energetically, we also appeal to the political parties, non-governmental organisations and individuals to lend a hand in the relief operations.

Initiative towards an Asian Parliament

The inherent objective of this gala get-together was to make a move towards establishing an Asian Parliament a la the European Parliament. De Venecia, former Speaker of the Philippine Parliament, was, no doubt, inspired by the architects of the concept of a united Europe. Maybe, the examples are exaggerated and actions premature, but there exists undoubtedly a close identity of purpose and semblance of initiative with this venture.

THE first-ever International Conference of Asian Political Parties was held in Manila from 17 to 20 September this year which was attended by leaders of 51 political parties, both from the ruling and the opposition, representing 21 countries of Asia. A number of European and American political parties also sent their representatives to the conference as observers. The initiative to hold this assembly of Asian leaders was almost singularly taken by the former Speaker of the Philippine Parliament, Jose De Venecia. His long preparation to organise this unique venture made him trot around the globe for months and travel from Australia to South America on the one hand, and from Norway to South Africa on the other. De Venecia also visited Bangladesh and personally invited Prime Minister Sheikh Hasina and Leader of the Opposition Begum Khaleda Zia. They themselves regretted their inability to attend due to other preoccupation but agreed to send their representatives. The ruling party of Bangladesh was represented by the Speaker of the Parliament and Secretary-General of the Awami League Zillur Rahman. The opposition delegation comprised of two BNP's advisers, M Morshed Khan MP and the writer himself, as well as Barrister Ziaur Rahman Khan MP.

The ostensible purpose of the conference was to provide a platform for Asian leaders, belonging to both the ruling and the opposition parties, to get together, seek-

ing to promote mutual understanding and co-operation, and deliberate on issues of common interest. The subject matters of the conference encompassed diverse issues that included democracy, socio-economic development, good governance, poverty alleviation and other major issues that agitate people's mind, especially in Asia. The Asia Declaration 2000 that was issued at the end of the conference, incorporated 38 paragraphs detailing out an Agenda for Action in broad groups like regional security, economic and human development, governance and political dialogue and finally towards building an Asian community. The inherent objective of this gala get-together, therefore, was to make a move towards establishing an Asian Parliament a la the European Parliament. De Venecia was, no doubt, inspired by the architects of the concept of a united Europe. Maybe, the examples are exaggerated and actions premature, but there exists undoubtedly a close identity of purpose and semblance of initiative with this venture.

The conference secured the blessings of and was addressed by important local leaders, such as President Joseph Estrada, Ex-

President Corazon Aquino and Fidel Ramos, Vice President Gloria Macapagal Arroyo and former First Lady Imelda Marcos. Among foreign guests were several ex-Presidents and ex-Prime Ministers but the limelight was stolen by the former Prime Minister of Pakistan Benazir Bhutto.

The leaders underlined the significance of the conference as

delegations. The Awami League leader's statement was punctuated heavily, somewhat irrelevantly, by a series of praises for his leader's achievement. The BNP statement dealt more on democracy, development and good governance and posed a question, as several others did, about what to do when a democratically elected government degenerates into an autocratic regime and morally forfeits people's mandate to govern. Notwithstanding that, personal relations between the two delegates were normal and correct reflecting the congenial atmosphere that pervaded the conference.

Delegates were both interested

in an endeavour to build bridges of partnership among political parties of Asia by way of commencement of a culture of co-operation among them. They laid emphasis on the role of the political parties in instituting reforms in their respective countries, since, as per their observation, governments come and go but political parties endure. They dealt with high and lofty ideals of gradual steps for effecting inter-regional co-operation with a view to eventually achieving unification of some sort. They spoke

and apprehensive about the possible interactions, particularly between the ruling and the opposition parties of the same country, and were somewhat apprehensive about a vitiating atmosphere. Fortunately, this did not happen and the delegates refrained themselves from reprimanding against each other and went along in their statements with the general theme of the conference. This was happily perceptible also in the statements made by leaders of the ruling party and the opposition party

Currents and Crosscurrents

by M M Rezaul Karim

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the period since 25 March 1971. Benazir claimed that on his way back to Bangladesh Sheikh Mujib called her father from London on telephone to say that it was not possible to consider the latter's request due to the genocide committed by the Pakistani regime on his people. The first part of Benazir's claim, as has been obtained from different sources since the liberation of Bangladesh, appears somewhat correct. Zulfikar Ali Bhutto made a request to establish some sort of a link between the truncated Pakistan and the newly independent Bangladesh. But it was not true that Sheikh Mujib made this telephone call from London. From various accounts it transpired that he did send the message on his return to Bangladesh and only after consultation with his colleagues and compatriots. All the telephone calls made by Sheikh Saheb from the Claridges in London were connected by me or my colleagues. I carried out his instruction to connect to Begum Mujib, Indira Gandhi and other important personalities. It would have been highly unlikely for him to call Bhutto without my knowledge when I was acting as the Head of Bangladesh Mission in London and myself, along with my colleagues, were entrusted with the task of looking after him during the first 26 hours of his freedom from captivity in Pakistan.

The writer, a former ambassador, is member of BNP's Advisory Council

Making Democracy Work in Bangladesh

by M Anwar Hashim

VIEWED in the light of a high level of linguistic and cultural homogeneity, a truly democratic Constitution, an agreed upon system of governance, the emergence of a two-party system with a balance in popular support and the holding of two successive general elections under non-partisan caretaker governments, Bangladesh is fortunate in having a suitable basis for building a stable democratic order. Yet, things are going from bad to worse in stead of moving in the desired direction.

It should be understood that democracy is just not the holding of free and fair elections. Likewise, it is not enough to have a government elected by the people. Unless it is made to function efficiently and effectively for the progress and prosperity of the nation, it cannot earn the distinction of being a government for the people. At the same time, there can be no democracy without a viable opposition. A stable democratic polity cannot be built in the absence of mutual trust and a reasonable degree of understanding, accommodation and consensus emanating from deliberations and debates between the ruling party and the opposition. What is, therefore, imperative is to promote democratic culture.

One of the most important elements of democratic culture is tolerance. It is an indispensable prerequisite for making democracy work. All political parties in Bangladesh need to strive for nurturing the spirit of tolerance and abandoning the stance "head I win, tail you lose" in favour of "give and take". Regardless of being in or out of power, they ought to accept the fact that each party has a legitimate role to play in national politics and as such they are not expected to question each other's legitimacy. The party in power should consider the opposition in the parliament as the shadow government. The victor in polls must not indulge in the vainglorious fantasy of treating the loser as the vanquished. The loser, in turn, must learn to concede its defeat in a graceful manner.

Civility, being yet another major component of democratic culture, needs to be inculcated in all spheres of our national life. The basic norms of civility demand complete eradication of the unsavoury practice of tongue-lashing, mudslinging and character assassination from politics. The initiatives and endeavours of political leaders are of immense importance in promoting decency and decorum in the society. They should be steadfast in displaying dignity and discretion both in words and deeds. This is absolutely necessary not only for building their own image and credibility but also for inspiring the populace to emulate their examples.

Abraham Lincoln's time-tested perception as being "the government of the people, by the people and for the people" underscores that the democratic system needs to be based on a strong moral foundation. The democratic culture cannot take roots in a nation where the practitioners of politics do not place morality high on their agenda. It is their task to implement the precept that democracy provides greater opportunity for millions rather than privileges for a chosen few.

In other words, they are expected to be people-friendly and contribute to the wellbeing and prosperity for the people.

So far as the adoption of pro-people policies and promoting good governance are concerned, both the government and the opposition have their own shares of responsibility which are to be performed with due regard to democratic culture. Understand-

ably, the former has a greater responsibility than the latter by virtue of being in power. Nevertheless, the opposition should, on its part, render support or at least not create obstacles to positive actions, plans and programmes of the government. At the same time, it should be at liberty to criticise and express resentment without any fear of intimidation or harassment if it is not consulted in terms of the Constitution and law or its views are not taken into consideration or the government goes wrong.

It is high time that the government makes an objective and not a subjective assessment of its performance in the sphere of governance. What has been the extent of its success in providing the basic needs of the populace, such as food, shelter, clothing, employment, education, health care, sanitation, water, electricity, disposal of wastes etc? How far it has been able to utilise the country's abundant human resources and limited material resources? Has it been able to promote accountability and transparency across the board? Is the application of the rule of law nondiscriminatory? Are the people in favour of continuance of the Special Powers Act and introduction of the Public Safety Act?

In the context of governance, the party in power needs to evaluate its successes and failures in other important areas as well. Is the campus situation congenial for learning? Does the media, specially the electronic media, enjoy freedom to develop and maintain a high professional standard and objectivity? Is the government paying due attention to well thought out views and suggestions of the civil society on issues of vital national interest and concern? Are some of its priorities, such as apparent preference for import of dog squad over disposal of garbage and envisaged procurement of two jets for the Head of State and the Head of Government over ridding the capital of power and water shortage, and traffic jam, sound and reasonable? Since a dispassionate evaluation would no doubt reveal considerable shortcomings, the government should be earnest in adopting corrective measures in stead of resorting to stubborn assertion of self-righteousness or lip service.

Apart from promoting democratic culture and good governance, it is essential to reform and enhance the effectiveness of some state organs and institutions. The holding of free and fair elections is no doubt an important precondition for building a democratic system. Bangladesh has made promising advances in this direction since 1991. Even so, the polls-related loose ends need to be tightened in the light of experiences gained so far and the realities on the ground. In this context, it would be worthwhile to consider, among other things, an extension of the caretaker government's tenure as well as de-politicisation and strengthening of the Election Commission on the basis of consensus between the government and the opposition.

The separation of the judiciary from the executive organ of the state, as laid down in the Constitution, is one of the fundamental principles of democracy. So far the task has remained unaccomplished despite the two major political parties' unequivocal commitment to translate it into reality. To make matters worse, the executive, spearheaded by none less than the Head of Government, has since launched a seemingly calculated cacophony, if not a tirade as viewed by many, against the superior courts of law. In this exercise, the question of accountability of the judiciary's higher echelons has been placed high on the agenda. This, however, does not stand to reason in the face of objective realities. The Judges of the superior courts are held in high esteem for their knowledge, experience and integ-

uity. Evidently, the major concern of the opposition lies in lack of neutrality on the part of the Speaker. It should be possible to tackle the issue if the Speaker a) is required to resign from his party position(s) immediately on assumption of office in the parliament, b) is not expected to take part in functions of any political party, c) is not nominated for a position in any international or intergovernmental organisation during his tenure and d) can get elected automatically in the next election.

The same conditions could be made applicable to the Deputy Speaker who plays an important role in the parliament. Other concerns of the opposition should also be taken care of through the adoption of confidence-building measures, such as offering the position of Deputy Speaker to the opposition, equitable sharing of important parliamentary positions among parties represented in it, allotment of equal floor time to the treasury bench and the opposition, strict observance of the rules of procedure, reflection of items of interest to the opposition in the agenda and inclusion of opposition members in delegations led by the Head of State/Government and Ministers.

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