

14th Amendment

Does it add value to the Constitution?

TAKING little cognizance of highly well-articulated and persuasive criticism of the bill on the part of civil society and the media as well as the opposition, the government has made the 14th amendment to the Constitution part of the statute book. Its passage can be termed unfortunate in that all the pros and cons of the broad legislative measure could not be sufficiently weighed up given the haste in which it was carried out.

The most important clause of the new amendment raised the number of reserved women's seats in parliament from 30 to 45. It is worth pointing out that this amendment has been rejected by virtually every major women's group in the country. What is the sense of passing legislation ostensibly for women if it is opposed by the very constituency it claims to help? Moreover, only a stop-gap arrangement of a reserved quota has been validated and extended without any qualitative improvement by way of direct election replacing the meaningless system of nomination.

On the portrait issue, was the amendment at all necessary? The amendment detracts from the importance of the Constitution by including something that could better be addressed through an executive order. It is more a matter of custom and precedent than that of a constitutional provision.

Finally, raising the retirement age for judges at a time like this, marked by a climate of suspicion and distrust could raise a question as to whether it has been done with an eye to the make-up of the caretaker government that will hold the next elections, or to maintaining a *status quo* on the Bangabandhu murder case. When it comes to something as crucial as a constitutional amendment, it is not enough to do the right, one must be seen to be doing right as well.

The ultimate test of a good constitutional amendment lies in its adding value to the constitution and in ensuring that it lasts through the vagaries of politics and the changing of guards. On both counts, the amendment falls short of meeting the criteria.

Women in journalism

Their greater presence awaited

AT a time when mainstreaming women in national life is a coveted agenda, it's a welcome trend that more and more women are taking a career in journalism. And what is particularly encouraging is that they are also proving their worth in this very challenging profession.

The media organisations are increasingly taking them in, which is definitely a good sign, although admittedly, an ideal gender balance is yet to be struck. The speakers at a seminar held at the National Press Club very rightly raised the question of their lack of security in particular beats, which has an inhibiting effect on their blooming fully as journalists. We believe what they referred to is the slide in law and order and the overall social climate which is not favourable to the pursuit of the hard variety of journalistic reporting and investigations. The threats that journalists working in certain sensitive areas are exposed to could only dampen the enthusiasm of media women. But some of them have already demonstrated that they are ready to stand up to the challenge. One must appreciate their very successful presence in the electronic media.

Women, with their innate sense of responsibility, seriousness of commitment and attention to detail, have tremendous potential to grow in both forms of the media, print and the electronic. However, though the environment in the offices is improving, their external situation is not all that conducive as yet.

The social taboo is going, especially in the urban centres. The rural ice can be broken if newspapers recruit more of their muffled correspondents from amongst eligible women.

Essentially, encouragement to women must come in the form of appropriate recognition of their services in terms of material benefit, congenial environment and reward for excellence. Who are more obliged to set an example in gender equality than newspaper managements that are involved with what is claimed as enlightened profession?

A M M SHAWKAT ALI

IN the recently concluded Bangladesh Development forum, the donors had warned the government. The warning is that if governance, political stability, law and order are not improved, there will be no additional support for the government. The support for poverty reduction will, however, be available. In the past also such issues were raised but were not accompanied by a warning as was done in the recent meeting. In fact, improvement in the three elements such as governance, political stability, law and order are closely interlinked. The donors, however, were said to have been appreciative of macro-economic stability and all that kind of stuff. At the same time, they were of the view that economic growth would rise by at least 3 percent if there were political and social stability. This underscores the point that governance goes beyond narrow economic dimensions of macro-economic stability or GDP growth. The latter always remain a plus point for the donors. Their staff can claim and point to successes arising out of their prescriptions.

Reaction to govt press note: Prof. Patel, the Vice President of the World Bank, was even more forthright in his reaction to the government press note that described the murder as the result of 'internal feud' (*The Independent*, May 11, 2004). He told the newsmen that 'the donors were not convinced about the explanation given by the government with regard to the murder of the lawmaker'.

Patel's reaction only re-confirmed what the media had said earlier about the views from different quarters on this issue. The government press note, in fact, compromised the integrity of police

investigation process. The press note has generated more heat than light on the barbaric murder of the lawmaker who was a highly respected man in his own right. Even the Prime Minister acknowledges that he was a very popular leader.

It is not known whether the donors' reactions led the Prime Minister to say, 'I will be tougher in curbing crimes and no one, irrespective of party affiliations, will be spared. My government is firm to bring the law, order under control.'

In a rare show of detachment and

would be given exemplary punishment and further that 'the government would not hesitate to punish its own party men if found involved in the murder'.

It is possible that the Prime Minister was carried off and probably wanted to send a signal to the criminals in and outside the political parties. It is not necessary to say that the intrusion of criminals into some political parties have taken place over the years. This has led to politics of criminalisation or criminalisation of politics. The need of the hour is to cleanse the political

criminals and proper moral training at home and in school. These are necessary but not sufficient conditions for a cleansing process because moral values of the middle class of younger years are non-existent now.

Other dimensions of political control: It is necessary, in the present context, to look at other options. One such option is to have a screening process in the initial recruitment of party workers. The onus in this respect is on the political leaders. Cynics will condemn this option as something utopian. The process can be started by advocacy

programmes to be undertaken by the civil society organisations (CSOs)

Second, the process of screening can also be done specially for candidates seeking elections to parliament and local government bodies. This mechanism is in place in India following a Supreme Court verdict requiring disclosure of criminal records among others. Why can't this be done in Bangladesh?

Donors' matrix: It is customary for the donors to draw up a matrix to implement the agenda for action. Sometimes, if not always, they go to absurd lengths. For instance, in one such matrix drawn way back in 1996 to enable the government work better, it required certain legislation to be 'approved' by the Parliament within a definite date. In so doing, they in fact transgressed into the freedom of action by parliament. Saifur Rahman's statement that an

draw up its own matrix of dealing with law and order and meticulously implement the agenda for action and show results not so much to the donors but to regain the confidence of the citizens.

Need for collective effort: In this context, a note of caution may well be in order. If the government opts for exclusionary efforts to deal with law and order, it is bound to be counter-productive. The government should involve all actors in the process of drawing up a practical agenda for action to improve law and order. The actors include the major opposition political party and other parties, the CSOs and all those who have the issue of law and order close to their hearts.

Elusive quest for political stability: Any one familiar with Bangladesh's political history will agree that the quest for political stability has unfortunately been an

A M M Shawkat Ali, PhD is former Secretary, Ministry of Agriculture.

Any one familiar with Bangladesh's political history will agree that the quest for political stability has unfortunately been an elusive one since 1975... It appears to many that Bangladesh is caught in the vicious cycle of bad governance, political instability and alarming downside in law and order. The cycle needs to be broken which will need specific actions rather than rhetoric.

non-partisan attitude, the Prime Minister was further quoted to have said that 'the government would not hesitate to punish its own party men if found involved in the murder'.

Only time will tell whether the above will be hollow words or serious intention to be translated into reality. Two issues emerge from the statement of the Prime Minister, which need attention. First, the reference to be firm to bring the law and order situation under control is probably the first ever acknowledgement from the highest in coalition government that the law and order situation is out of control and serious efforts must be made to bring it under control. This is reassuring but results are to be seen.

The second issue that emerges from the statement as quoted in the press relates to that part of the statement which said that the killers

parties of criminals. The rot started long back when during the late seventies a criminal was harboured in the Minto Road residence of a State Minister. However, the positive side was that the police could raid the house in question and arrest the criminal. But nothing happened to the State Minister although harbouring a criminal is a punishable offence under section 212 of Bangladesh Penal Code (BPC). The news media had also in the past shown photographs of persons holding high public offices with fugitives from justice.

Need for political action: The need for political action to arrest the rising trend in crimes is generally viewed in terms of asking the police to nab criminals. The police is often made the scapegoat if they fail. Others articulate, in an intellectual fashion, the need for social control in the form of social boycott of

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Politics of negativism has its limit

Indian electorates preferred to vote on development issues

PALLAB BHATTACHARYA writes from New Delhi

THE verdict of Indian general elections of 2004 will go down in the history of the world's largest democracy as one of the most amazing ones.

The results have thrown up a pattern that even the best of pollsters failed to visualise. In fact, their predictions went horribly wrong. In any elections of such a magnitude, there is more than one layer of factors at work. Some layers are on the surface and some under it.

There cannot be a simplistic generalisation in terms of mere anti-incumbency factor. After all, states like West Bengal, Delhi, Tripura, Orissa and Madhya Pradesh could by and large blunt anti-incumbency.

Certainly, the triumphant return of Sonia Gandhi-led Congress and the defeat of BJP-led National Democratic Alliance defies any single and simplistic analysis.

But broadly, the main messages sent out loud and clear by the electoral outcome are: (1) Congress has struck the right alliances, (2) has kept its ears closer to ground socio-economic realities, (3) BJP took recourse to an artificial wave of 'India Shining' campaign on the economy whose growth bypassed the vast majority, (4) used cynical methods to try and corner rivals and (5) relied excessively on the image of Atal Bihari Vajpayee that did not sell much.

The BJP, which used to take pride in roping in regional parties as allies and shedding its tag of politically untouchable, saw at least 10 of its partners parting ways with it a few months before the elections. It did little to stop them.

Congress, on the other hand, firmed up alliances with regional players. In some cases, the party did that burying its hatchet with parties like NCP in Maharashtra,

which was formed in 1999 on the plank of opposition to Sonia Gandhi's foreign origin and DMK in Tamil Nadu and Telengana Rashtra Samiti in Andhra Pradesh.

It may be recalled that Congress had pulled the rug of a federal coalition government headed by H D Deve Gowda in 1997 on the issue of suspected links of DMK, one of the components of that government, with the assassins of Sonia Gandhi's husband Rajiv Gandhi.

When BJP chose a new ally in AIADMK it was a disastrous decision considering the fact that it was risking the prospect of double anti-incumbency in the form BJP being in power at the Centre and AIADMK governing Tamil Nadu. The poll result

the BJP had pulled out all stops.

During electioneering, Vajpayee sang praises of Samajwadi Party chief Mulayam Singh Yadav and harped on "ideological similarity" with his party in a bid to split the crucial 17 percent Muslim votes in Uttar Pradesh. It was considered as the use of a political tool out of desperation that did little to help BJP in the end.

In many constituencies with sizable presence of Muslim electorate, the BJP leadership spoke of improving relationships between communities in the context of thaw in ties between India and Pakistan. None resented the talk of communal harmony but wondered why it was placed in the context of India-

shrill campaign against Sonia Gandhi's foreign origin, that had often bordered on arrogance, spoke more of desperation than conviction.

The BJP spoke about seven to eight percent economic growth, mobile telecom, information technology, record foreign exchange reserve and promised to make India a super power by 2020. But a vast majority of two thirds population not only in rural India but even the urban middle class refused to buy its claims, given the ground reality to the contrary.

On the other hand, Congress refrained from making tall claims and promises but only talked of addressing the immediate basic

needs of the people and shunned personal attacks. After all, politics of negativism has its limits.

The Vajpayee government announced a series of sops in its interim budget shortly before deciding to advance the elections in February that were primarily aimed at wooing the urban middle class and the corporate sector. Promises were made also for the farmers. But the results clearly indicated there were few takers for them.

It would be wrong to say that only the rural electorate went against BJP. Look at the top urban centers -- Delhi, Bombay, Chennai and Kolkata -- where the party suffered electoral rout.

In Bombay, three BJP heavyweights Petroleum Minister Ram Naik, junior minister Jayantiben Mehta as also Parliament Speaker Manohar Joshi of Shiv Sena -- were

humbled by greenhorns of Congress. In Delhi, BJP lost six of the seven seats to Congress. In Kolkata, BJP ally Trinamool Congress could win just one of the four seats and in Madras, AIADMK, another saffron poll partner, could not win a single seat.

The BJP sought to vigorously push for reforms with its concomitant cost like paying for utility services and abolition of subsidies on essentials without caring to think that all these lofty talks are fit for societies with strong social security nets.

The BJP had gone into the elections as a face off between brand Vajpayee versus Sonia Gandhi and media popular ratings had put the BJP leader far ahead of the Congress chief. But the poll outcome clearly brought out that the Nehru-Gandhi dynasty magic faced up to brand Vajpayee and neutralised the issue of foreign origin.

In fact, analysts consider it as an astute move to bring Nehru-Gandhi family's youngest member Rahul into electoral fray and his sister Priyanka in campaigning in Uttar Pradesh.

The result was there for all to see. The Gandhi siblings drew enthusiastic response whenever they traveled across large impoverished tracts of the state and it was reflected in the results as Congress finished third ahead of BJP in terms of tally of seats in Uttar Pradesh. It was an impressive comeback considering the fact that Congress came back from a point of near-decimation in the previous elections in 1999.

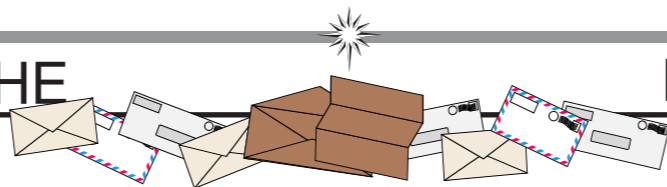
The powerful appeal of Nehru-

style of campaign by BJP and Congress that also contributed in no small measure to the electoral outcome.

While BJP leader L K Advani traveled in a high-tech air-conditioned vehicle on his "India Rising" campaign across the country and BJP played Vajpayee's recorded message to the people over mobile phones and laptops, Sonia and Rahul undertook electoral road shows hitting the dusty roads of rural India establishing closer contact with the commoners. This, analysts feel, helped in a big way to take the bite off the BJP's campaign against Sonia as the "videsh bahu."

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TO THE EDITOR TO THE EDITOR TO THE



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Indian polls

The Congress is all set to form the new government of India.

A booming economy, a good harvest due to monsoon and improved bilateral relationship with nuclear rival Pakistan could not offset the agony of millions of poor. They voted out the BJP. The Congress, virtually written off by the political pundits, did well even beyond their expectations.

The most important part of these is the respect to people's verdict shown by the BJP. The astute politician, Vajpayee, acknowledged defeat and submitted resignation to the president even before the vote counting ended.

In our country, no election has been spared the blame of rigging by the defeated party. We have learnt new terms like 'shukkho karchupi' (subtle rigging) and 'stuhoholo karchupi' (gross rigging). Our main two political parties give the impression that the common people are bound to support them and there

will never be a sway in their opinion.

I cannot even imagine the fallout of the election results, had it taken place in Bangladesh. Electronic voting machine is being used in the Indian polls for the first time and the results went against the political pundits' anticipation. We might have heard the term 'electronic rigging' if the election was held in Bangladesh.

We hope our politicians will undergo the hard work of taking some time out of their busy schedule of attacking opponents and take a look at the Indian election results and Vajpayee's dignified exit.

Saif Dhaka

Ershad Shikder

Infamous criminal Ershad Shikder was hanged on 11 May in Khulna jail. The capital punishment of Ershad has proved that the law itself also becomes inhuman to punish the acts of inhumanity. The process

through which a convict, who's been sentenced to death, goes is certainly a horrible one. Even though he was a bestial creature, sometimes we feel sorry for him. We want to hate crimes not the criminals. They are human beings as well. They also have innocent relatives and children who suffer and thus get a punishment that they do not deserve. The solution is to build up a better society where no one would commit such horrendous crimes. Execution of the existing criminals is just a temporary solution; we have to think about the preventive measures against crimes. We have to fight against the existing discrimination and lack of consciousness and education throughout our society that make a person a criminal. The criminals in our country get support of the political leaders and thus they become much more dangerous.

Several politicians used Ershad for political purpose and they are the ones who helped him become a

savage killer. Ershad became ward commissioner twice and was under the protection of powerful leaders and law enforcers for a long time. Who will punish those sordid men who deliberately inspired and helped a person turn into a criminal?

We are thinking about the cure of a disease but we are not determined to eliminate the cause of the disease. We neither want crimes nor capital punishment in our country.

KH. ASFF Safa Kabir Upal Lalmatia, Dhaka

Economy of style

Practising the economy of life is a philosophical lifestyle. Later, it spreads in the social environment and becomes the hallmark of the community and finally the society. It has to be cultivated: first consciously, then subconsciously. Once accepted by the elders, the young generation is influenced by the diffusion followed by infusion like

the warm Gulf Stream. The powerhouse and transmission are controlled by the seniors in society. Are they delivering?

The Bangladesh society is changing fast these days (notice the mayhem in metropolis Dhaka), after three decades of hibernation. Due to losing the sense of national direction, passion and over-enthusiasm are passing boosters-development needs cool dedication and throw away the milk.

Materialism is based on acquisition--the more the better, totally against the simple concept of plain living and high thinking. The have-nots are doubly handicapped, lagging several steps behind. To serve the self, or others? Selflessness has zero storage capacity for materialistic goods (and services). Few are givers, most are takers.

The potentiality has to be tapped, but not by the opportunists. The latter is the life-style today. The vision is myopic, and the one-track

mind cannot identify options.

Jatra politics has to pass through the stage-show phase. But the political front is not setting down to routine service. The latter needs long practice and fine-tuning to become seemingly effortless. The noise level in our politics is too high. It distracts others from their chosen vocation and profession. Such *halla-gulla* is not fair to the citizens.

The survival instinct in politics is a nasty bug, like an unstable boat in stormy waters. The weather never clears up, for a perspective view. We have been living on disaster ration for decades.

Adaab Dhaka

"Ghost is coming"

When we were little children, we the brothers and sisters used to play a game called 'The ghost is coming'.

We used to darken the room by putting on extra drapes and then one of us would chant, "One o'clock, the ghost is coming," and then "Two o'clock the ghost is coming," and so on till the number 12 was reached when we all used to shout our lungs out. But the ghost never came.

I refer this story to the prediction of Mr. Abdul Jalil, General Secretary of the Awami League, who continuously ranted in the whole month of April that the BNP government would fall on April 30. But April 30 passed long ago and the BNP government is still very much in power. Mr. Jalil had to swallow his own deadline.

Mushtaque Ahmad Dhaka

Attack on students at NU

The clash between students and NU employees, the report of which was published in DS on 6 May, 2004,

caught my attention. It is not fair to display the power of authority. Five demands were placed to the NU by the college students. The demands were (i) Reforming the NU syllabus (ii) Allowing teachers of NU affiliated colleges to prepare question papers (iii) Preparing an NU calendar (iv) Holding exams at a specific time and (v) Allowing students to retake exams only in the subjects in which they failed. As a second year student of English, I support these fully.

However, our results were published after ten months. Because of the new rules, many students were in panic whether they would pass or not. My friends were the worst victims of these new rules.

I urge the NU authorities to ponder over this matter and accept the demands so that all the students get a fair deal.

M Shafiqae Tangail