

Chittagong port rip-off

Ultimately it is the economy that pays the price

T has been common knowledge for a long time that corruption and inefficiency are rife at Chittagong port, but the extent catalogued in the recently released TIB report is truly mind-boggling. The underground port economy that TIB estimates nets a total of Tk 783 crore annually is a terrible drain on our resources and drag on our development, and the negative consequences have a very far-reaching effect on the nation's economy.

It is high time that the government took the corruption catalogued by TIB seriously. The latest report comes at the end of an exhaustive one-year study, and while the government may be able to, and doubtless will, quibble as to some aspects of the study's methodology and assumptions, it would be highly irresponsible for them to not take the report seriously.

The fact is that the report has laid bare the corruption and inefficiency at the heart of this nation's largest sea-port that handles 75 per cent of our sea cargo, and that the government can no longer ignore this cancer.

Let us not mince words. The port has been revealed to be a hot-bed of criminality. What we are talking about is bribery and extortion on a massive scale. Corruption doesn't sound as bad as these equally apt terms to describe the day to day running of the port system. The costs are paid by the importers and exporters, and work as a tax that raises the cost of doing business in Bangladesh to prohibitive levels that undoubtedly is a huge disincentive to doing business here. And when it comes to imports, ultimately the higher costs are passed on to the consumers, which means that we all suffer.

Corruption enables the transfer of public wealth into private hands. It is abuse of power that enriches the few at the expense of the nation as a whole, and is thus the most pernicious of evils. If the nation is to ever develop and advance, this kind of whole-scale corruption must be halted.

Specifically, the smooth and efficient functioning of Chittagong port is crucial to our continued development. As long as the port remains hostage to the extortion and bribery of port and customs officials, it will never be able to perform its needed function, and the country will continue to suffer for its poor business climate.

The government must take the corruption at Chittagong port seriously. Bangladesh's business reputation internationally as well as the development of the economy as a whole is at stake.

Rowdy post-accident behaviour

A remedy suggested

STUDENTS went on the rampage at Rokeya Sarani, near the Sher-e-Bangla Agricultural University, on Monday last, following a road accident that left one of their fellow students critically wounded. It was disquieting to learn that the accident was the result of a mad race between two buses, that we often witness on the roads these days.

That said, we turn to the violent reactions of students who set a bus on fire, damaged over 50 other vehicles, and kept the road blocked for more than an hour. It was a frenzied reaction to an accident, something that defied logic of any kind. Why on earth is this riotous behaviour that is palpably against the very public interest that the students were supposedly championing? In the recent past, we have seen many such road blockades and students turning their ire on vehicles by no means responsible for the mishaps they were actually angered by.

We understand that the students had long been complaining that they were facing a grave risk of accident near the campus in the absence of speed breakers on the road. A student of the university died a few months back, but it seems the traffic authorities have done nothing to enhance road safety in the area. We don't know what the authorities have to say on this complaint, but someone must be held responsible.

The point is, in spite of everything, the vandalism that took place is utterly condemnable. It is difficult to imagine, however, that things will improve until people's right to safe passage, even when an accident has taken place, is firmly established by the law enforcement authorities. We have a suggestion to make there.

It is observed that the incidents of reaction overkill take place in the proximity of educational institutions. It is not only possible but also highly desirable that senior police officials, university authorities and student representatives hold periodic conferences in which the law enforcement professionals will convincingly assure the students that any accident will be followed by a prompt legal step and that the culprits will not eventually go unpunished. This should be topped off by the relevant authorities making a pledge that they are going to take some tangible steps to prevent road accidents around the campus.

Elusiveness of constitutional governance



AMM SHAWKAT ALI

DURING the past few years, there has been a continuing debate on political and constitutional reforms. The same set of themes on reform measures are repeated time and again without anyone being wiser than in the past. At least on this score, the cynics would be justified in saying that the plethora of seminars and workshops on political and constitutional reforms are useless at their worst. At their best, these experiences allow the participants to give vent to their feelings however repetitive they may be.

What then are the oft-repeated themes? These are (a) the need to amend article 70 of the constitution, (b) decentralisation of powers by strengthening local government system, (c) residual authority for the President, (d) criminalisation of politics, (e) strengthening election commission, (f) influence of black money and muscle power in elections, (g) the need to compel the candidates seeking elections to declare their assets and (h) lack of transparency, accountability of the political parties and absence of in-party democracy.

All of the above areas of reform were identified in the recently held roundtable discussions under the auspices of a civil society organization. With a kind of hindsight, it will not be far out of line to say that the themes thus identified are a repetition of what has been done earlier. This is not to say that these are redundant but to point out that such demands have fallen and continue to fall on deaf ears of the political

leaders irrespective of their hue and colour.

Article 70

Article 70 is perceived to be anti-democratic in that it seeks to impose party decision on individual members of the party and also debars them from voting against party decision. The penalty is loss of membership of Parliament. The penalty is further explained in the constitution. The explanation is if a Member of Parliament (MP) (a) being present in the Parliament or (b) absents himself from any sitting of Parliament ignores the decision of the party which nominated him at

expanded form of amendment effected in 1991, cared to explain the untold story of the said amendment.

Whatever may be the reason of their silence the fact remains that article 70 in its present form hangs like sword of Damocles over the heads of conscientious MPs who may not agree with some, if not all, decisions of party leadership. This issue is, in some ways linked to the substantive concept in-party democracy which, by all accounts, is largely absent.

Politicians and chameleons

The political process in Bangladesh

WORTH A LOOK

Many discerning observers believe that what has been happening in Bangladesh since 1991 is the politicisation of institutions of the state leading to their decadence. The process of institutional decadence of the three organs of the state has led to a serious imbalance in their quality and fairness. Such an imbalance is an anathema to constitutional governance. The tragic part of the whole story is that the repetition of themes for political and constitutional reforms appears to fall on deaf ears of the leaderships of the three organs of the state.

the election as a candidate not to do so, he shall be deemed to have voted against the party.

The penalty does not stop here. It is further laid down in the constitution that in case any question about party leadership is raised by any member, the Speaker is bound, upon receiving an application in writing, to determine the question of leadership by votes. This will have to be done by convening a meeting of all members of the relevant party. If any member does not comply with the direction of the leadership so determined, he shall vacate his seat in the Parliament.

Article 70 was part of the constitution as it was framed in 1972. It is said to have been further expanded by the twelfth amendment act of 1991. Many of the speakers who participated in the round table referred to were politicians belonging to one party or the other. None of them, in so far as it relates to the

Some, if not all, politicians change their colour and creed much like chameleons. It is possible, to cite such instances. The antecedents of this type of behavioral pattern is part of our political history although some instances of such behaviour can be found in India also. It is possible to explain this by saying that this is only to be expected in immature democracies. In case of Bangladesh, there is more to it than meets the eye.

There are two aspects of this scenario. Division within the political party that breaks up the party into new party or parties. As long as this happens and is kept confined to party or parties not elected to the parliament, there is possibly no harm. In this context, it is possible to argue, however, that divisions within a political party leading to its breakup may also be fuelled by extra-constitutional powers that emerge consequent upon promulgation of

martial law. Such instances can readily be cited in case of Bangladesh. By fair means or foul, the architects of martial law, who publicly profess to return to the barracks after all is well, do not in fact do so, but find it convenient to form new political parties.

Other politicians rush in to join the newly floated party either to remain safe or to be part of the power structure on a continuous basis. There are a good number of instances of such switch of loyalties in Bangladesh.

Essentially a power play

The political process in Bangladesh

duced in 1991. However, the complaints of rigging the elections still persist. There are now talks about further reform in the concept of caretaker government. In fact, the concept was challenged in the High Court in the recent past but was rejected by the said court.

Constitutional process and the constitution

One of the participants in the roundtable on political reforms asserted that the constitutional process has failed, but never the constitution itself (*The Independent*, September 26, 2004). It is not clear what essentially is the difference

polling centers. Even then, the complaints, not unsubstantiated by evidence, of rigging are there. The trend is now also visible in the local government polls.

This is confirmed by the chief election commissioner (CEC) himself. He is reported to have said that there were allegations of casting false votes, obstruction to the legal voters from casting votes and occupying illegally the polling centers, free style stamping of the ballot papers, and manhandling of the rival polling agents by terrorists hired by some candidates at Daulat Khan, Borhanuddin, Nilphamari, Kalapara, Thakurgaon, Haragach, Charfeshon and Laxmipur Paurashavas.

Based on these experiences, as if these are something new, the CEC wanted to deploy army at Netrakona by-polls. It was not reported in the press as to what steps the EC was going to take against violators of election laws. What legal remedies are available to the more decent candidates who lost in the elections? What kind of electoral reforms are necessary to put an end to such heinous practices remain to be identified. It should be done as a package and not just in bits and pieces in a two or three-hour-long seminar.

Decadence of institutions

Politicisation of social order in terms of awareness building may be a good thing if such politicisation aims at strengthening democratic institutions. Many discerning observers believe that what has been happening in Bangladesh since 1991 is the politicisation of institutions of the state leading to their decadence.

The process of institutional decadence of the three organs of the state has led to a serious imbalance in their quality and fairness. Such an imbalance is an anathema to constitutional governance. The tragic part of the whole story is that the repetition of themes for political and constitutional reforms appears to fall on deaf ears of the leaderships of the three organs of the state. What more can the civil society do?

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India's Security Council bid: There's no shortcut to glory

PRAFUL BIDWAI
writes from New Delhi

INDIA has thrown its hat in the ring for a permanent seat on the United Nations Security Council. It's coordinating its bid with Brazil, Germany, and Japan (collectively, the G-4). This group is hopeful that a committee for reform of the UN, which is due to submit its report in December, will give them a new opportunity. Recent crises in the former Yugoslavia and Africa, and above all, in Iraq, have heightened the need for changes in the UN system.

It's not certain that the G-4 bid will succeed. Germany and Japan's claim is widely supported. But Brazil's bid is likely to be opposed by Argentina and may not find favour with all the Council's five permanent members (P-5), each of whom wields the veto.

India is backed by Russia, France, and Britain, but not by the United States and China. Pakistan says it will oppose India tooth and nail.

A compromise might be G-4 inclusion as a distinct tier in the Council, with permanent membership, but without veto power.

How valuable is a permanent seat on the Council? Will global security increase if the Council is expanded without being reformed? Will India's stature greatly rise through a permanent seat? Can India really contribute to the world by being on the Council?

Sobering thoughts are in order.

Human Development Index (HDI). India's per capita income is a mere \$487, or less than one-tenth the global average.

India's ambition to sit at the world's high table is not matched by its poverty, backwardness, and aggregate economic size, which in dollar terms barely equals that of the Netherlands (pop 16 million).

Nor is a Security Council seat the best index of international standing. Britain, France, and Russia are

mands prestige because of its steady Number One HDI rank and conflict-resolution role in Palestine-Israel and Sri Lanka.

Brute power doesn't guarantee political authority. The US's current military superiority is unmatched in history. And yet, the US is politically failing in Iraq, just as it failed in Vietnam.

During last year's UN debate on Iraq, all the US's powers of persuasion, coercion and bribery could not

Bosnia, Rwanda, and Sudan. It has proved ineffectual in bringing justice to the Palestinian people.

These failures are largely attributable to the major powers' pursuit of narrow, parochial, short-term self-interest. The US has vilified, abused, and exploited the UN.

US Under-Secretary of State John Bolton declared 10 years ago: "There is no United Nations. There is an international community that occasionally can be led by the only

seats for different regions, which are rotated among their members.

Some interesting proposals have come from a Ford Foundation-Yale University working group. One calls for enlarging the number of permanent (though non-veto) members, while restricting the use of the P-5 veto "only to peacekeeping and enforcement measures."

One major merit of this transitional idea is that it reduces the danger that the North will derail any reform.

There is an equally urgent need to expand the role of the General Assembly in security-related decision-making and in overseeing the working of the World Bank, IMF and World Trade Organisation. Other proposals too have been made for creating a "Second Chamber" -- of civil society organisations.

India could play a valuable role in promoting a dialogue for UN reform along these lines. That would be a greater contribution to global governance than joining an unrefined Security Council.

But that means returning to a Nehruvian vision and seizing moral leadership, while abandoning a search for glory through power. It also means giving up false notions of prestige and addressing the real issues before the country and the world.

Are our leaders ready for this?

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declining powers despite being in the P-5. There is nearly as much disproportion between, say, Pakistan's and India's nuclear-weapons status and their global political weight, as between Council membership and true leadership in politics, economy, or culture.

Today, "soft power" is probably more important than "hard" military power. Nations are often respected more for what they have done for their citizens, than for their might. Sweden, South Africa, and Ireland enjoy respect disproportionate to their size/might because they have promoted causes like peace.

India continues to belong to the bottom third of the world's nations, with a rank of 127 out of 177 in the UN

win it the support it needed for passing the "Second Resolution." Not just Pakistan, Brazil, and Chile, but even Guinea, Cameroon, and Angola defied Washington!

The Security Council is not irrelevant -- Iraq proved that -- but there are limits to the power of its most privileged members. It's foolish to equate Council membership with unbridled authority.

Gridlocked during the Cold War, the Security Council failed to stop the French and US interventions in Vietnam, the Soviet invasion of Afghanistan, and countless other wars.

Rather than give permanent membership to a handful of states, it would be better to have permanent

real power left in the world, and that is the US... When the US leads, the UN will follow. When it suits our interest to do so, we will do so. When it does not suit our interests we will not."

Such revolting arrogance won't go unless the Council is thoroughly reformed and genuinely democratised. The Council must be enlarged through greater representation for the Global South. Vetoes must be eventually abolished. The Council must yield more authority to the General Assembly.

After the Cold War too, it failed in

Norway (pop 4.5 million) com-

part preconditions of a successful chain. In the judiciary, the huge backlog of pending cases is a reminder of how backward we are in the operation and maintenance of public services. The paperwork and delays in settlement of land disputes in Bangladesh are notorious (DS report Sep 15).

The summary of the feasibility report on computerisation of the police network may be made public for enlightening public opinion.

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versity has stopped the way.

I feel that the decision is against basic human rights. If it is admitted that the right of education is a human right then it also to be acknowledged that the scope of higher education is also a human right.

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Project: SAU development

Sher-e-Bangla Agricultural University (SAU), Dhaka has completed the 3rd year of its establishment. In spite of a number of limitations the teachers of the university have succeeded in nearly ending the inherited session jam at under-graduate level. They have also successfully completed the first semester of the MS course currently offered by eight departments through maintaining academic standard.

The Vice Chancellor of SAU, Prof Dr A M Farooque has been

working hard to keep the university run smoothly by ignoring the black looks. Opening of three new faculties is awaiting UGC's clearance.

Although the present government is providing all sort of support in raising SAU to a centre of excellence, the university is passing through acute class-room, lab., library, students' accommodation and other problems. With a view to solving these problems, a development project is awaiting final approval by the ECNEC. The Chancellor of SAU and Prime Minister of Bangladesh Begum Khaleda Zia, being the Chairperson of ECNEC, was pleased to form a review committee to re-examine the SAU's development project when it was tabled at an ECNEC meeting a few months back.

We most fervently request the relevant authorities to expedite the process of passing the SAU development project at the earliest, so that we could attain academic excellence.

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Hardened and petty criminals

Every day newspapers are coming with reports of killing, hij