

Why the continuing hartal?

It is proving counter-productive

THE Awami League and its allies had called a 60-hour non-stop hartal across the country following the brutal killing of SAMS Kibria, and four other persons, at Habiganj. There was an intermission of two days before another dawn-to-dusk hartal was enforced yesterday. As if that was not enough, there would be two more days of continuing shutdown beginning tomorrow. The hartal fatigue is too obvious and it has been extremely unsettling whichever way one looks at it.

The public outrage over the dastardly murder of SAMS Kibria along with some AL men and the lethal grenade attack of August 21 on AL rally that killed Ivy Rahman, among others, were fully expressed and the public demand for identification and expeditious punishment of the culprits have been forcefully voiced. So, continuation of hartal can only baffle the general people now.

Just as clearly and unambiguously we condemned the dastardly killing of SAMS Kibria, so also we urge the opposition to take stock of the situation anew and reconsider the hartal call for the remaining two days at the very least. We will always condemn such political crimes, but the opposition has to show sensitivity to public weal by eschewing the hartal option.

By appealing to the parties to discontinue the hartal, we are not in any way lessening or undermining the gravity of the tragedy that struck us. What we mean to say is that by responding to our call the opposition is likely to win far greater public support than by resorting to any course of action that ran counter to collective interests.

The emotional outpourings had their origin in the irrefutable truth that the country had witnessed a crime of unbelievable magnitude. It was a lethal blow to our democratic culture. But the question is, what purpose these continual hartals will serve? Trade and commerce have to bear the brunt of it all, and people in general suffer. We lend our voice to the concern expressed by the trade bodies over hartal and political confrontation hindering economic growth.

Let's urge the opposition to discontinue hartal keeping in view the interests of the country and the people.

Public land in private hands

The identified grabbers shouldn't escape justice

THE parliamentary standing committee on land ministry has been taking laudable initiatives in exposing the magnitude of illegal land occupation in the country. Now, the media's role as the primary source of investigative reporting on expropriation of public land is being happily complemented by a parliamentary body. This is as it should be.

Chairman of the parliamentary standing committee for law ministry and ruling party MP Mahbubur Rahman has given out some statistics portraying the horrific extent of illegal occupation by real estate developers and builders in Dhaka, Narayanganj and Gazipur. It is disquieting to note that 6,000 acres of government land is in wrongful position, of which the district authorities have recovered only 306 acres. The accountability exercise has been basically fringe-touching: 164 criminal cases were filed against the land grabbers with another 159 being under preparation. A handful of apparently powerful developers and some industrial houses have encroached on the huge acreage of public land in the three districts including Savar. The data were obtained from reports submitted by the respective district administrations in compliance with a directive of the JS standing committee to let it have detailed accounts of the lands gobbled up.

As a matter of fact, parliamentary standing committees have a deeper and wider responsibility than merely bringing out the facts like newspapers or the visual media. But the Jatiya Sangsad committees being what they are -- questioning and recommendatory bodies -- rather than authorities mandated to secure corrective action on the part of the faulted government offices or agencies under respective ministries, tend to have a limited bearing on the ultimate fate of their own findings. This has to change; they have to be given more follow-up teeth.

Meanwhile, as the developer companies in the breach of law have been identified by name and address, the public would expect the government to take appropriate action against them?

DR. BADIUL ALAM MAJUMDAR

THE next parliamentary election is less than two years away. However, election winds appear to be hitting our sail already. Our Honourable Prime Minister, in her recent public meetings, has begun to ask for votes. Other political parties seem to be warming up for it. Newspapers have also started to highlight election related issues. For example, *The Daily Star* has recently focused its entire anniversary supplement on electoral issues.

Elections are important in that they help choose leaders in a methodical and orderly way -- as opposed to through chaotic or violent competitions. Elections are in essence filters for picking the good and discarding the bad. If elections fail to differentiate between the honest and the dishonest, the competent and the incompetent, and those committed to people's welfare and those committed to self-interest, they carry little meaning and significance. In fact, such elections can cause more harm than good.

Bangladesh's experiences of the past decade provide ample evidence of how elections can generate undesirable consequences. During our so-called democratic experiment, the income disparity has greatly widened and the common people have increasingly been deprived while the rich have gotten richer and received more and more privileges. We became singled out as the filthiest nation in the world four times in a row. Our political process has become totally criminalised. Toll collection, hooliganism, violence, political killing, flaunting of black money, land grabbing, trampling of citizens' rights have now become all-pervasive in our country.

These evil consequences are the results of our inability to elect honest, competent and committed individuals to high offices. We have been seduced by our leaders to vote for party symbols, rather than quality candidates or party programmes, and we are now reaping the bitter harvest. We have been asked to elect "lamp posts;" we complied and

have gotten what we deserved.

Our political bosses have convinced us to believe that elections and democracy are synonymous -- in order to institutionalise democracy we just need to hold periodic elections. Thus, we have been practicing "one-day -- election-day -- democracy" in our country. However, an election-only democracy usually degenerates into "leaseocracy" setting in motion a tendency toward kleptomania. Uncontrolled looting and plundering then follow. Our democracy has in essence given the elected leaders and through a patronage system -- their cronies the licence to steal with impunity. This obviously creates an incentive for an all out competition among political parties to attain power at any cost.

of our election-centred politics, engendered by the influence of black money and muscle, now poses the biggest challenge to our nascent democracy. In order to overcome this problem, we need institutional as well as systemic reforms and changes. For such reforms we specifically propose, among other things, to: (a) **make the Election Commission truly independent and transparent;** (b) **provide for registration/deregistration of political parties;** (c) **ensure the accuracy of electoral rolls;** (d) **outlaw exorbitant election expenses and make its accounting transparent;** (e) **expedite the disposal of election disputes;** and (f) **empower voters with information regarding the antecedents of candi-**

democratisation of their party hierarchies, transparency in their raising and spending of funds, their membership receiving a voice in the nomination process, and restrictions on the nomination of certain types of candidates to ensure a level playing field. Arguments against registration of political parties lack justification in that all formal endeavours, including the setting up of a business, require registration with some authority. In neighbouring India, for example, it is mandatory by law for political parties to register with the EC.

Maintaining the accuracy of electoral rolls would require an easing of the registration process, continuous updating of the electoral rolls, providing for an appellate authority, and the issuance of voter

their liabilities, and their amount of annual income and expenditures; and (c) their actual election expense details, including listings of payments, unpaid claims, amounts received in various forms by election agents. According to available information, of the 1939 total candidates contesting the 8th parliamentary elections, 1587 filed form 17A and B, and 1473 filed form 17C. Thus, all candidates in the 2001 parliamentary elections did not even comply with the reporting requirements under the existing statutes. Yet cases were reported to have been filed against only 40 defaulters, and nothing was done against the rest although the law clearly provides for specific penalties. Without swift and severe retribution for violations of law and codes of

their nomination papers disclosing their criminal records, their own and their immediate family members' income, sources of income, assets and liabilities. Those affidavits must be posted on the EC website, as is done in India. The affidavits must be scrutinised and those filing false and misleading affidavits must loose their seats if elected. Candidates with criminal background and records of corrupt practices must also be made ineligible to run for office.

Disclosures of information relating to financial and criminal backgrounds are very important in that democracy is as sound as the people running for and holding offices. However, the people are as good as their backgrounds. Only good and honest people are likely to make sincere and conscientious efforts to play the political games according to the rules and make the system work. Dishonest politicians are not only apt to break the rules and undermine the system, they are also likely to try to change the rules in the middle of the game, if the game does not go their way. With honest politicians and an independent Election Commission, we will not even need the caretaker system.

To conclude, in order to remedy the harms already caused by our system of election-only democracy, we need some deep and far-reaching political reforms. We need to clean up the *procedures* to make the elections free and open as well as embrace the core democratic *principles* to make the system work for the benefit of the people. We also need to elect honest and competent people to run the affairs of the nation. Only then can we expect to have a truly democratic system of government. A truly democratic system is attractive in that it can foster good and people-oriented governance.

We have put forward these proposals in order to foment a serious dialogue on and develop an agenda for political reforms in Bangladesh.

Dr. Badiul Alam Majumdar is Global Vice President and Country Director, The Hunger Project-Bangladesh and Member-Secretary, SHUJAN

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They thus employ all conceivable means to get elected -- they resort to violence, use black money, occupy polling booths and attempt to manipulate the polling process. These actions clearly thwart the democratic process.

Democracy is a system of government in which people govern themselves, either directly or through their elected representatives. Democracy is not just about elections. Elections are mere *procedures* -- democratic procedures. However, democratic procedures, such as free and fair elections, are distinctly different from democratic *principles*, such as self-government and good governance. Democratic procedures are useful to the extent that they promote democratic principles. Thus, elections are *necessary*, but not *sufficient* conditions for a democratic system. In fact, the election-only democracy, as our experience shows, can really create "Frankensteins," which can irreparably ruin the future of their creators.

It is clear that the criminalisation

dates running for office.

The independence of the Election Commission may be assured by treating all its expenditures as charged. Following it to have an independent secretariat, nominating honest, competent and courageous individuals to the EC, providing them with the necessary constitutional protection, and vesting in the EC the rule-making authority for election related laws. The activities of the EC must also be made transparent to avoid allegations of wrongdoing. The issue of nominating good, honest and competent people to the EC is particularly relevant at this time in that the terms of the CEC and one other EC member will expire in a few months. The terms of other members will also expire before the next general election.

Registration of political parties with the EC is a contentious issue in that our major political parties are not in favour of it. Thoughtful observers are, however, insistent on it. Requirements for registration of political parties would include

IDs.

To eliminate the influence of black money in elections and in the political process, candidates must submit accurate reports of their election expenses and those reports must be available for public scrutiny. They must also periodically submit statements of personal income, assets and liabilities and financial statements of members of their immediate families. These reports and statements must be audited by competent experts and appropriate actions must be taken for submitting false and misleading information. Loopholes allowing loan defaulters to run in elections must also be eliminated.

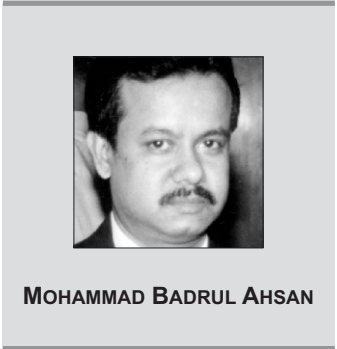
It may be pointed out under section 44 of the Representation of People Order 1972, candidates running for parliament are now required to file forms 17A, B and C to account for: (a) the probable amount and the sources of their election expenses; (b) the amount and types of their assets, nature of

conduct, violations are usually encouraged.

The resolution of election related disputes is generally so much time consuming that justice is not often carried out, and justice delayed is justice denied. Thus expeditious and timely resolution of election disputes must be ensured to make the election process fair.

Even when we buy a bottle of water, the bottler is required to provide 'accurate' information regarding the ingredients of its product so that buyers can make informed decisions. The bottler may be prosecuted for providing misleading information. However, citizens do not have a right to know anything about the background and antecedents of candidates running for office to help make an informed choice. The decision about buying a bottle of water is a trivial one, while effects of voter selection of leaders can hardly be over-estimated. In order to remedy this void, individuals contesting elections must be required to submit affidavits with

The killing of Kibria



MOHAMMAD BADRUL AHSAN

IF I may say so, it doesn't bother me that Shah AMS Kibria died last week. He was 74 when he died and had lived a good life by any standard. Man is mortal and Kibria's death proved it again. But what bothers me is that he was killed, wounded in a bomb blast, carried all the way from Hobiganj by road, and then carted on a hospital trolley looking like a rag doll, ripped in rage. Tom Stoppard, a British playwright, tells us that tragedy is when the bad ends unhappily and the good ends unlookily. This is where the loss of Kibria's life marked a shift. It was an unlucky way to end up dead like he did.

Let me tell you what is going to happen next. In our limitless capacity to absorb horror, we are soon going to toss it into a dark recess of our psyche. This tragedy will work its way toward the back of the newspaper and ultimately fall off the page. It will happen I know, because it has happened before. Another bomb blast will claim fresh casualties, and the new horror will replace the old.

Kibria wasn't just anybody. He was a meritorious student, a career diplomat, international bureaucrat,

former Minister of Finance and a noted politician of the country. I never met him but as much as I know his was a life lived in reasonable decency. We needed people like him to stick around for a long time, people who are educated, knowledgeable, experienced and suave, people who are rare sights on our political scene.

It is pointless to ask who could have done it. It could be anybody, some fundamentalist madcaps, hired hands, or mindless political jerks. But it doesn't matter anymore. Burkert accounts for some of the

ican political activist, said that the tragedy of the age lied not in the fact that men were poor, not in the fact that men were wicked, but in the fact that men knew so little of men. If the killers of Kibria ever get caught, it would be interesting to find out how much they knew about their victim, whether they had appreciated the value of the life they were going to ruin.

Here I am talking in relative terms. Kibria must have had his shortcomings as well. But he stood out as a different breed compared with other politicians, who earn

need to know if the government failed to provide a helicopter to rush him to Dhaka. A minister of the ruling party was airlifted sometime ago when he received burn injuries in an accidental fire. Why couldn't a critically wounded minister of an earlier regime get similar facility? Did Kibria's party or family make an approach to the government?

It is sad that Kibria died, even sadder that he was killed in a ruthless manner, but the saddest thing is how the man who lived for his country died in vain. It is the same blame game, which has started again, the

to find the mad men hiding in our attic. If the past is any lesson, all of these will not take us anywhere except to the same dead end where hatred is perpetuated again and again.

Chairman Mao Tse-tung of China once defined politics as war without bloodshed and war as politics with bloodshed. Perhaps what we see is a new brand of politics, when people have become contaminated in their instincts. It is war every time you disagree, and you must spill the blood of your enemy. Those who killed Kibria must have disagreed

which fed on itself.

For any politician, who loves this country, the challenge is to break this cycle. Kibria loved this country and he made enemies with people who were opposed to him. But he never thought of eliminating anyone because he knew where to draw the line between war and politics. It must have been the same reason why he quit the Foreign Service of Pakistan when its army engaged in war against the people of Bangladesh. Because war means end of politics, when rivalry of men is bereft of all sophistication to thrive on raw instincts.

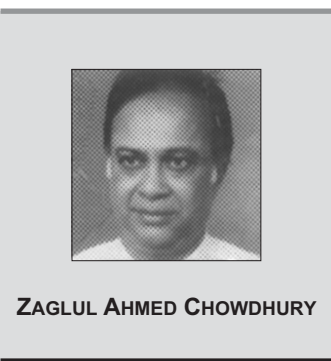
Let us face it, like the tragedies of the past, even Kibria's loss will slip away from us. Perhaps we will be busy grieving the loss of another life as another bomb goes off at another time. Perhaps another party stalwart or another cadre, or may be a whole bunch of them will go at a time. Politics looks like a minefield, where the slightest disagreement or opposition can blow up anyone.

We can mourn the death of Kibria for many more days. But we have a bigger tragedy to mourn all the time. We might blame it on the government or the opposition. We might blame it on the fundamentalists, the Indians, the Americans or any number of conspiracy theories. The fact remains that we are losing our grip on politics, and increasingly looking like a land of warring factions. The New York Times story, the Indian refusal to attend SAARC in Dhaka, the U.S. demand for full disclosure before it sends the FBI team, these are telltale signs of our frittering image. The killing of Kibria is more than a death.

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Mohammad Badrul Ahsan is a banker.

Nepal crisis: Is it a stop-gap measure ?



ZAGLUL AHMED CHOWDHURY

NEPAL, the picturesque South Asian country is once again in international news. The landlocked nation, which so admirably introduced parliamentary democracy in 1990 replacing executive monarchy, seems reverting to old system, where the King wields all powers. The latest developments in the country in the form of sacking the elected prime minister and vesting of all power in the monarchy cannot be commended since these measures are certainly taking the

nation further away from representative character of government. Indeed, this is a sad spectacle. However, all parties concerned have to take the blame for this undesirable situation since their actions and programmes unfortunately do no appear to be contributing to stability and development of a nation which badly requires political stability and economic and social progress. The current millennium had certainly begun on an ominous note for Nepal, which was otherwise a largely calm and peaceful country drawing huge tourists from all over and was making significant strides to change its impoverished image. Monarchy remained the constitutional head with an elected parliament and leader of the majority party or alliance at the helm as the prime minister to run the nation. But over the last four years, the happy conditions began to change and the political situation getting murkier.

The dismissing of Sher Bahadur Deuba government, strictly speaking, has not come as a total surprise. In a way, something like this was

expected sooner or later since political developments held no promise for a better future taking into consideration the evolving condition centring the elections and the ever increasing unrest caused by a determined insurgency by the ultra-left Maoists. Nonetheless, the developments in Nepal at the moment do not augur well both for the Himalayan kingdom and causes of democracy.

Three important factors are now determining the course of events in the country with the monarchy definitely being at the supreme, followed by the political parties and the radical leftists. A popular monarch King Birendra had to loosen his grip on powers facing a pro-democracy movement when he conceded demands like democratic government in 1990. Political parties the Nepali Congress, the Communist Party (Marxist-Leninist) and other smaller groups have not shown maturity in a new found parliamentary democracy as intra-party rivalries as well as squabbles within the main Nepali Congress

kept all at bay about the fate of democracy even though people favour representative system of government. The murky political situation can be well judged by the fact that Nepal witnessed as many as thirteen premiers in fourteen years of introduction of democracy in 1990. Alleged corruption on part of the politicians in power also played a role in growing despon-

ing a debate as his was an elected government but the same King reinstated him in June, last year, giving him the task of organising elections and settle the Maoist problem. When Deuba was sacked this time, the King cited the same reasons against -- "incompetence". Political parties, which seldom show any unity, had come together on the broad issue of

MATTERS AROUND US

deny among the people.

Prime Minister Girija Prasad Koirala had to quit being embroiled in a serious controversy over leasing of a Royal Nepalese Airlines passenger aircraft. Later, his Nepali Congress was split over leadership and at one stage Sher Bahadur Deuba -- a challenger to Koirala -- was ousted from the organisation. Deuba was prime minister but sacked by King Gayendra trigger-

"elected government" when dismissed premier Deuba was reinstated replacing the handpicked prime minister Surja Bahadur Thapa. But they could not hold on to the understanding, failing to agree on fresh elections and failure to make any headway to resolve the Maoist issue. The King was clearly annoyed and he hit, taking powers by himself and later appointing a ten-member cabinet much to the

dismay of the democracy lovers.

The palace massacre in 2001 of mainstream royal family including King Birendra, his wife and several others convulsed the kingdom even though it was a constitutional monarchy. They were shot dead reportedly by crown prince Dipendra but the whole episode still remains shrouded in mystery. The development had come as a rude shock to the Nepalese, who admired the King and this brought his brother Gyanendra to power. The new King experimented the power structure by appointed persons as prime ministers of his choice while the parliament was dissolved. He finally, brought in the sacked elected prime minister Sher Bahadur Deuba in June last year but he was dismissed once again and this time an emergency was clamped. The biggest headache for the King is certainly the activities of the Maoists, who often engage themselves in fierce battles with the army and police causing big toll of lives on both sides. By this time they control a large area in the countryside.

All of these worked out the same pattern we have seen in the past. Once again, there is an investigation committee; once again we are asking for international intelligence

with him. We are not talking about those who threw the bomb, but those who masterminded the whole thing.

The widening gyre of that disagreement hit the nation last week as the opposition once again vowed to topple the government. It was an amplified version of the same war cry that had led Kibria's enemies to eliminate him. It was the same intolerance, the same arrogance, and the same madness on a bigger scale. The hatred led to killing, and the killing led to further hatred, a vicious cycle of seminal instincts, which fed on itself.

Ironically, a country like Nepal can ill afford to absorb two serious crises -- stemming from political instability and the long-drawn Maoist insurgency, which is growing in intensity even though no side is in a decisive stage. The nation is bleeding through internal mayhem and lack of political direction.

In the current situation, one may probably argue that the King had to take drastic decision as Deuba was not delivering -- providing a government that has semblance of functioning -- neither in organising the new elections nor in making

any progress in talks or tackling the problems posed by the radicals. There may be some basis for this, but the bottom line is that in this age of democracy no nation can revert to undemocratic pattern of government. Several democratic countries including the powerful United States and Kathmandu's giant neighbour India felt that constitution is being trampled in Nepal as powers are being excessively used by the monarch. The concern is not against Gyanendra but evidently for democracy. Nepal is experiencing problems peculiar to its own conditions, particularly the ultra leftist insurgency. But the system of representative government that was so assiduously developed in the country should not be allowed to suffer for long and one can hope that the measures taken by the King are only stop-gap arrangements that will facilitate new elections and democratic pattern of governance in the country.

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