

## Defuse tension

Dialogue the best means

THE only way to thrash out strains between close neighbours is through dialogue. We can take comfort in the fact that the foreign ministers of Bangladesh and India have expressed their intention to address the current situation arising out of tension at our borders.

There are enough grounds to believe that the strains stem primarily from the continued Indian BSF efforts to erect fences within the No Man's Land and also the deaths of Bangladesh nationals in BSF firing. And, of course, the recent intrusion of the BSF inside our territory and the death of a BSF Assistant Commander, have compounded the matter. The general pattern of BSF activity at several points of the Indo-Bangladesh border, causes us concern.

It would not be out of place to ask as to why such incidents occurred in the first place? There are clear-cut guidelines that lay down the operational procedures for the two border forces to go by. Should there be any problem in implementing any of its proviso, the only way to overcome it is to sit down and thrash that out.

Admittedly, the views of Bangladesh and India are not in accord on the limitation on fencing in the NML stipulated by the Indo-Bangladesh Guidelines for Border Authorities, 1975. That has been the instrument guiding the border security forces of the two countries so long. Changes in the provisions if there need be can be effected through discussions by amicable means. If for so long the guidelines have proved fairly efficacious one wonders why that should now be the cause of friction that leads to deaths of innocents.

Since the two foreign ministers are likely to sit together and take the 'steam out of the present irritants through negotiation,' there is a need to avoid precipitate actions that are likely to hamper the environment of discourse. Neither precipitate action nor provocative statements will help matter simmer down.

In fact, we feel, that there must be more meetings, rather than only 'flag meetings' which are designed as a holding mechanism, between the commanders at all levels of the two border forces.

## Accident waiting to happen

Time we did something about it

THE road accidents in Tangail and Dhaka on Tuesday took a heavy toll of lives -- 27 in all. The major reason is, unsurprisingly, speeding on top of what must have been overloaded transports. In fact, the tendency towards fast driving on the highways is so pervasive, let alone overloading, that accidents are just waiting to happen. Adding other reasons like fake licensing, fake fitness certification of vehicles in dilapidated conditions -- the picture does get grimmer.

We feel that it's not just precious lives lost, we should also be alarmed at the rising number of people being crippled by road accidents. After a highway accident kills people and hogs headlines, the authorities are quick to promise stern action against the culprit. But in reality, the guilty seldom gets punished. Transports that should have been ordered off the street a long time ago happen to be driven by at best amateur drivers drawn from the ranks of conductors or helpers. They have little or no knowledge of highway traffic rules against overtaking and speeding at the bends. An owner once putting a vehicle on the road would wash his hands off any maintenance responsibility. Such violations of regulations can be effectively dealt with provided highway patrol is conducted in a no-nonsense manner.

The authorities will have to ensure safety to numerous passengers who undertake inter-district journeys these days. Since rules and regulations do not have any effect *per se*, we could consider other options to secure compliance with them. For example, the authorities can convene a special meeting with the leaders of bus and truck owners' and operators' associations to devise ways and means for raising the level of highway safety. The leaders should be told that they would be held responsible on behalf of their members for the tragic deaths of commuters. At the same time, the corrupt officials must be dealt with sternly. In other words, the authorities must go the whole hog in trying to drastically reduce the incidence of highway accidents.

## Caretaker government, Election Commission and beyond

DR. MUSTAFIZUR RAHMAN

**R**IUGHT or wrong allegation of election rigging or manoeuvring or abuse of power to influence election results and other wrong doing are not new in Bangladesh. Ershad's fall however opened the scope for embarking on the provision of an impartial interim non-party caretaker government to conduct parliamentary election in fairness. This was born out of strong mistrust and rivalry among the movement partners.

Of late, there are various fresh debates for and against the constitutional institutions of caretaker government and the Election Commission. Some of the ideas being floated are 1) to get away with the provision of giving a monopoly of the position of chief adviser to the last retired chief justices; 2) to select a neutral person as the chief adviser through consensus of all the parties (though "Party" itself still remains undefined); 3) to decide whether command over defence should rest with the president; 4) to empower the election commission with independent secretariat and financial autonomy.

The purpose underlying these issues is to ensure a fair and impartial administration of election, but can these alone serve the purpose? Will it change the post-election scenario of the past?

## Local self-government and up-dated voter list

All voters expect and desire that they be allowed to vote for the persons of their choice in peace, but as all the people are not well educated, it is difficult, for the time being, to adopt electronic or other advanced voting system. The local administration machinery particularly serving as returning officers, though under the command of the election commission, are not necessarily unbiased and immune from invisible hands of influence, particularly when they are alleged to have been politicised.

In the absence of established system of local self-government, possibly non-party based, there is no genuine record of birth and death influence, who are supposed to be responsible, full-time lawmakers at the national level.

## CTG, NSC, EC

Let us suppose that the chief advisor of the care-taker government is selected through consensus of some existing political parties, as demanded by some. In normal situation, parliament members can, and probably should, seek people's views on any matter of national interest, and debate in the parliament. Political groups or parties can definitely create public opinion. People will know who or which party wants to speak for them.

It is very likely that any person who may suddenly take charge of a caretaker government as its chief advisor will be disadvantaged to run the affairs of the government for about three months and help the election commission run the election fairly without advance preparation and without full and effective support of the government machinery. There may also develop a new set of allegations. Under our circumstances, caretaker government

system is an innovative solution, but it was a quick fix, which need be improved to serve its purpose.

There may be created a permanent body such as, "Non-party national security council" which will help the election commission run all elections, including by-elections fairly, and perform other duties assigned. It is beyond argument that the elections shall be run by election commission and all executive organs must provide all logistics necessary. Its power and duties may be restructured to cover any shortcoming.

## Right to know and

offer the people opportunity to enjoy their rights and any share of deserved prosperity? Many might put forward different excuses for our present miserable situation. Some will even dare take pride in whatever we have as achievements.

With a population of about 140 million with per capita GDP of US\$ 420 or so, a currency devalued from Tk.7.30 in 1971-2 to about Tk.61 to a Dollar in March, 2005, miserably low rate of literacy, destroyed industrial base, poor technological standing, dysfunctional institutions, deteriorating educational system, broken chain of command in the bloated admin-

tract, treaty or convention, etc. to protect national interest.

The leadership need only to have full trust in our own people, give them responsibility, encourage them to succeed and appreciate them for results. The country can achieve even the unachievable in a relatively short time. The power and responsibility of policy making lies with the parliament members on behalf of the people, not with the public servants.

## Amendments to the constitution

All these initiatives may call for comprehensive changes in the constitution. The law makers shall have to devote themselves to framing coherent laws to support building a disciplined and developed nation. As constitutional change will need two-third majority which the present coalition partners have, it is desired of them to come to realisation of their grave responsibility the people entrusted with them and take initiative to seek people's help with open mind to amend the constitution so that it can guard the government from damaging long-term national interest, and guide us towards right policy and practice.

The wisdom of the entire nation may always be available to any nationalistic and patriotic government caring for the welfare of the people. Two-third majority may not be there so often. Time is simply running out very fast for all concerned to come to sense and be wise for the long-term interest of the nation. Mere selection of chief adviser of the caretaker government or empowerment of EC alone cannot do any real good. We must think much beyond and avoid ad homism.

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## Ombudsman

A constitutional provision of access to public information, i.e. the provision of public disclosure may minimise corruption as well as the causes of corruption in public entities. It is a constitutional obligation to establish the office of ombudsman with clear provisions to be embodied in the constitution for effectiveness.

## Electoral Review Board and constitutional court

In case any violation of election law is proved after even the election result is declared, the Election Review Board may reverse the result and take corrective measures as per provisions of law or as per any provision that may be incorporated in the amended constitution.

For settling cases or matters involving any question of constitutionality, a constitutional court may be established.

## Will a fair election guarantee people's right?

In the last 34 years, there were many elections -- fair or reasonably fair, but could the election results

istruction, degradation in social values, uncheckable propensity for submission to dependency and external influence or interference for petty personal gain, callousness about national interest, draining of valuable and hard-earned foreign exchange for avoidable service sector and destruction of financial institutions for unknown reasons, that are needed for economic revitalisation, it would be mere irresponsibility to be complacent. Had the legal framework and the constitution bound the administration with responsibility, things could be different.

## Hartal and parliament boycott

Hartal is not acceptable to the people, but there must be some safety valve to relieve people's explosive grievances by including a provision of "People's right of enactment on direct initiative" in the constitution. This is introduced in the Philippines with record of smooth transfer of power after chronic troubles.

## Who can do and what?

It is always the leadership in power that can change the fate of a nation with right and timely initiatives, and it is again its government that can destroy all the potential of the nation. It does not take someone long to ponder where we have been led to.

There are many people in this country, who know the art and science of building a prosperous state. We know what policies should be adopted, what institutions should be set up, what laws are to be framed, what implementation procedures should be followed, how priorities should be set, what kind of manpower should be groomed and trained, and how to allocate meagre resources to form at least critical mass for economic take-off, and how to use budgeting and taxation system as developmental policy instruments. We can incorporate provisions in the constitution that can guide us as to what type of investment we should encourage or discourage, what should be conditional for inward and outward foreign investment, whether or not to enter into any agreement, con-

stant, only the common people never had it so bad.

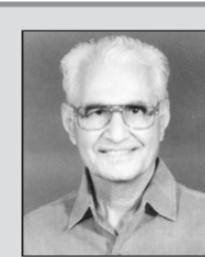
Time has come to ask searching questions. Was Pakistan created to be a happy hunting ground for military-bureaucratic predators? Was such ugly centralism integral to the idea of Pakistan? Would the poor forever remain deprived and dispossessed? What will be the point in changing Mr. Shaukat Aziz with a PPP replacement? What will change? The real question to be asked is: for whose benefit would the resources of Pakistan be used? When can two meals a day for all Pakistanis be ensured?

One foresees asking minor questions like what precisely do Musharraf and his company mean by enlightened moderation? Can they countenance its implications? Is PPP leadership modernist and enlightened? Let's finally separate wheat from chaff.

But some problems have remained untackled even intellectually. The question was posed in MRD days: what is the point in struggling for democracy and making sacrifices if in the end another military freebooter will take over and throw the Constitution on the dust heap? Pessimists still say that the Army will never let go power, now that it occupies all strategic heights in politics and economy. Question of questions is, how to persuade Army to vacate the political field and keep them out permanently?

MB Naqvi is a leading columnist in Pakistan.

## Opposition: Anyone for lessons from MRD

M B NAQVI  
writes from Karachi

**S**TORIES about bickering in Alliance for Restoration of Democracy (ARD) are rife. Its two pillars, Pakistan Peoples Party and the Nawaz faction of Muslim League, have all but fallen out. PPP appears set to support the Musharraf cause, if only the General makes this worthwhile for the largest party claiming to be also for enlightened moderation. With PPP walking out, what will be left of ARD is not hard to see.

This sort of trouble is inherent in the fractious politics of this country. Whenever Army takes over, which is frequent, some of democracy's enthusiasts promptly start forming one- or two-point united front of all parties. As the experience of Movement for Restoration of Democracy (MRD) in early 1980s showed, such united fronts start crumbling under the weight of their own internal contradictions.

About MRD's agitation, stories of brutal lashings, long sentences by military kangaroo courts even for shouting slogans, and heavy repression are all that are remembered. What is not remembered is that the movement never really took off -- except in Sindh where committed followers of Zulfiqar Ali Bhutto were beside themselves with anger

over their leader's hanging. They resorted to disorganised protests and some sabotage.

Nothing much happened in the other three provinces -- all because parties strong in Balochistan, Frontier or even non-PPP ones in Sindh demanded MRD to commit to many reforms in addition to simple democracy. PPP, representing Punjab's interests and of Sindh's landed aristocracy, refused to commit itself to anything beyond the vague restoration of 1973 Constitution.

Now this is the oldest and basic polarisation in Pakistan. A lot of idiotic confusion is created by treating the term secularism to mean Atheism. It is nothing of the kind. It simply says that the state should not side, or identify with, any organised religion; let all faiths flourish and people should be free to practice any faith they please. This is a rational view of human equality, with absolutely equal rights -- and equal obligations that citizens freely prescribe for themselves. This

personal beliefs are much the same as MMA's -- party's general character and many of its leaders will find nothing wrong with Musharraf's enlightened moderation. The party has been termed by many as objectively being modernist and moderate. Which side will the rump of the party, with its potential in the Punjab, go?

But there is far more to ARD than the PPP and PML(N). True, these two are important for their parliamentary strengths and not for much

## PLAIN WORDS

The question was posed in MRD days: what is the point in struggling for democracy and making sacrifices if in the end another military freebooter will take over and throw the Constitution on the dust heap? Pessimists still say that the Army will never let go power, now that it occupies all strategic heights in politics and economy. Question of questions is, how to persuade Army to vacate the political field and keep them out permanently?

That is what really killed the MRD -- not Gen. Ziaul Haq who merely did what could be expected of him.

Looked at more closely, the situation today is not much different from the one in early 1980s. For a variety of reasons, Benazir leadership cannot take a stance of radical opposition to the overlordship of Army. For one thing, that may shake up its hold on Punjab's Chaudhries and Nawabs -- the Punjab that is seen as its base and is also the hope of its regaining power in Islamabad. That is what has sealed the fate of ARD. Not that ARD is nothing without PPP. Its cutting edge comprises smaller parties of Balochistan, NWFP and Sindh and hopefully a few new ones in Punjab.

Let's remember the Benazir leadership of PPP is sociologically indistinguishable with the Q

of power by Islamabad.

But let me rise above particularities and take an overview of country's politics. The central fact today is Gen. Musharraf has chosen to appear to uphold modernism, enlightened toleration of dissent -- what else is moderation? -- pluralism and democracy; he is supposed to oppose rigid orthodoxy that resists all change and is totally intolerant -- intolerant of what? -- heterogeneous and pluralist that our society is. The values he favours demand, in fact, a secular democracy in which religion is none of state's business; faithful of all religions or sects can go on preaching and practicing their faith freely. Only, everybody's freedom is equally sacred: all "other" opinions or positions are no ground for state to pass a judgement on them.

presupposes a democracy in which no particular economic or political group has any reserved privileges. Who the 'others' are -- are known, who take their stand for converting the state into an instrument of promoting just one set of beliefs -- leaving out many somewhat different sets of beliefs or interpretations. The opposition parties have to be clear on this. Superficially it is a polarisation of MMA on one side and Gen. Musharraf and Q League with its turncoat allies on the other. Where does ARD stand on this major issue? PPP claims to be on the General's side, waiting to be taken onboard. It is only a matter of agreeing on a few terms and conditions. On which side is PML (Nawaz)? While the general rhetoric of Mr. Nawaz Sharif has been similar to MMA's -- and perhaps his

else. In terms of hard struggle, requiring sacrifices, other seemingly smaller parties are more important. But they all, more or less, want to go beyond the one point of removing Musharraf. What else should change is their concern. They do want end of Army rule like everyone else. But they immediately proceed to demanding guarantees against future Army takeovers and violations of the Constitution. They also want more autonomy for provincial governments. This is essentially a demand for a new Constitution. Those who say that changing the Constitution will be opening the Pandora's box are in fact the defenders of Islamabad's excessive administrative role that so much suits the military's Bonapartes and which keeps the upper crusts in clover all over Paki-

## TO THE EDITOR TO THE EDITOR TO THE



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Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

## Land of controversy!

It is very unfortunate that our motherland is turning into a land of controversy. The EU has passed a resolution on Bangladesh politics, which will ultimately end up in controversy. Separation of the judiciary from the executive is also being delayed. Killings of opposition politicians are under trial and God knows when we will see the final judgement and its execution.

There is also controversy brewing around different issues. Reform in caretaker government system seems to be a tug of war. Not to say anything about emergence of fundamentalism, relations with neighbours, the ACC episode, dearth of right kind of people to occupy constitutional positions in important organisations. The capacity of the government to

handle the existing political crisis is reasonably good. I will mention the names of three honourable ministers- Mr Saifur Rahman, a candid personality, Mr Nazmul Huda, a good troubleshooter, and Mr Moudud Ahmed, a versatile politician. Over and above, the Think Tank of the government is working well, thanks to the leadership of the Honourable Prime Minister. However, I would point out that the government is primarily responsible to guide the nation as per its political mandate received during the last election.

To make parliament a useful institution, the Honourable Prime Minister, Honourable Speaker and the Honourable Opposition Leader might consider sitting together and agree to a framework to make parliament effective for law making. The country needs lots of legal

reforms to fit with the changing social structures, international relations, trade and commerce etc.

**A factual error**

A bank's full-page advertisement in your April 3 issue drew my attention. The advertisement said that, "1905. It was a remarkable year. The Partition of Bengal was annulled and we opened our business in Bangladesh the same year". This is both a factual and a historical error. Bengal was partitioned in 1905 and the partition was annulled in 1911. How could a reputed bank make this mistake? Secondly, whatever reasons the British had for partitioning Bengal, the partition definitely benefited the people of East Bengal who had till then been neglected. Consequently, the annual

ment of the partition went against the interests of the people of East Bengal. Therefore, the conclusion that the annulment year was remarkable cannot be accepted.

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An occasion for deep introspection

People celebrate the Prophet's (pbuh) birthday in many colourful ways to show their love for him, but people tend to forget that he died on this day as well. They bring out colourful processions, distribute sweets, sing and make congregations to highlight his life and offer voluntary prayers.

How much all these reflect love

for the Prophet or done as a tradition is open to question, but one should base his opinion on Koranic teachings or Sunnah of the