

JS probe report

The charges are too serious to be rejected outright

It is the first time in our parliamentary history that an all party parliamentary committee has recommended legal action against an erstwhile speaker, deputy speaker and chief whip after an investigation of allegations of gross financial irregularity, misuse of funds and abuse of power of office by the three.

Our primary concern, when the probe was ordered, was whether it would be transparent and the committee free of political bias while conducting the investigation. It is only when the report is made public that we would be able to say for certain whether all the objective conditions had been fully met by the committee, but so far as we can assess at this time from press reports, it can be said that the committee work has been reasonably objective.

It is regrettable that the BNP member of the committee chose to stay away from the proceedings of the committee while the three accused did not feel it necessary to answer to the allegations in front of the parliamentary committee in spite of being given the opportunity to do so.

The charges indeed are very serious, and the findings of the committee, of gross violation of rules and regulations in the conduct of the administration of the parliament by the three accused, cannot be dismissed merely by saying that the whole exercise is politically motivated. Such a position does not cut much ice with the public, who cannot but see this as a political stunt.

Certainly the findings are extremely unpalatable and difficult for the BNP to digest, as it would be for anyone with an iota of self esteem and respect for the rule of law; but facts are facts. After all, the documents speak for themselves and the outright rejection of the report is very injudicious on the part of the BNP, to say the least. The least that the party can do is to take into consideration the findings of the committee and point out the errors and anomalies, if any. That way we feel it would be better placed to present its case to the people and gain their sympathy by making clear the reasons for the position it has taken.

According to the findings of the report, the three highest offices of the parliament have been defiled, and the chair of the speaker devalued by the unethical acts and other indiscretions, to put it mildly. It would be our hope that the parliament would consider the findings with due diligence and ensure that the same is not repeated.

Reckless driving schools

They need disciplining

THE report that there has been a mushrooming of illegally run driving schools in the city is indeed a cause for concern. Traffic discipline is sadly missing in the streets of Dhaka and there is reason to believe that poorly trained drivers are responsible to a great extent for the chaotic traffic situation.

With more than 50,000 new vehicles taking to the street every year, there is a huge demand for drivers. And the driving schools are performing the valuable job of training the aspiring drivers. But the whole business has to be run within the framework of certain rules. The need for having such rules is being felt all the more acutely as the number of road accidents is increasing day by day. Of course, well-trained drivers having an adequate knowledge of traffic rules can play a vital role in reducing the number of accidents. But the truth of the matter is that there are only 10 registered driving schools in the city and they have very few qualified instructors. The result is that the learners can get the driving licence without knowing the traffic rules. The hazards associated with allowing people to drive without learning the basics are too obvious.

The driving schools usually use dilapidated vehicles while training the learners. So, they start with vehicles having no road-worthiness and this itself poses a risk to life and limbs aside from obstructing the learning process. This is happening despite the business being a booming one.

Apparently, there is nobody to oversee what is happening inside the driving schools. The BRTA is supposed to be the government agency in charge of framing and enforcing the rules to make sure that the drivers are trained properly. But its role has so far been rather ineffective—a point made clear by the rapid growth of illegally run driving schools.

It has been reported that the BRTA has chalked out a guideline for the driving schools, but the ground reality is that the guideline has few followers. So, non-enforcement of the rules is a major problem here. But the question is how could the violators of the rules go unpunished, particularly when the issue has a direct bearing on road safety? Callous indifference to such an important matter is inexplicable, to say the least. The BRTA has to ensure compliance with its rules on a priority basis. Road safety will ever remain an elusive goal unless things improve appreciably in this area.

Punishing the guardians

We will be only fooling ourselves if we think that someone else will fix our troubles and make things orderly. The status quo has to be broken because that guarantees the pelf and power of the vested quarters having no interest in democratisation.

MUHAMMAD NURUL HUDA

HIGHLY charged discussions about the propriety or lack of it relating to the actions of persons who occupied high public offices in the not-too-distant past have been drawing the attention of many. One may wonder if it is necessary and in public interest to only focus our attention to the indiscretions of the period following 1/11 or shall one also venture into the apparently untenable actions warranting the prolongation of the Caretaker dispensation? Has the nation forgotten and forgiven the persons at the high pedestal whose timidity and ill-judged actions nearly brought us to a precipice?

Coming to specifics, could Dr. Iajuddin, the former President of the republic convince the nation that his controversial assumption of the office of the Chief Adviser was necessitated by the compulsion of circumstances as claimed? Or was it by deliberate design? It did not take a discerning observer to entertain serious reservations about the neutrality and non-partisan character of Dr. Iajuddin.

Former President Dr. Iajuddin was clearly a political appointed person and his actions were suspect. He did assume the charges of the office of the Chief Adviser without adequately exhausting the available constitutional options. His subsequent actions, still fresh in public memory, had actually validated his detractor's accusations of partiality; and that of carrying out the wishes and directions of his patrons and mentor.

The question is, shall he be gradually forgotten as the 'sick man' of Bangladeshi politics? Or shall he be asked to account for by appropriate arrangements?

If we care to retrace our steps we will remember that the last minute stalling of the issuance of rule in writ petitions that challenged the legality of President's untenable assumption of the office of Chief Adviser was given sanction by the highest judiciary.

In view of such actions, one would not be

wrong to say that in the last quarter of 2006, the chief executive and the higher judiciary did not live up to the confidence reposed in their exalted offices.

The nation, in its desperate hours, expected the President of the republic to be legally and constitutionally upright and hoped that the head of the state would deliberate on matters of national interest with due diligence and solemnity. Unfortunately, he failed to protect the integrity of the constitutional arrangement of neutral and non-partisan caretaker government and ensured its irreparable denigration in public estimation. His actions led us to an ungovernable state.

The malfeasance and misfeasance of public servants, politicians and businessmen of all times and regimes need to be looked into in public interest, should these be possible and adequately supportable by our admittedly depleted institutional capacity. Persons at the helm of public affairs must be the best judge. However, if we are not to lose faith in the future of the country then we have to, at least, publicly take an adverse note of the indiscretions and illegalities at high places.

One may have to admit that the most unfortunate fact of our political life in Bangladesh is the absence of public response to the denigration of law and collapse of order in the society. The near

supine acceptance of the many indignities and excesses inflicted upon citizens by insensitive rulers is a blight for which all of us bear responsibility. The compounding tragedy is that with the lapse of time most of us tend to forget the offence and the offender.

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History tells us that people have risen to great heights when they have basked in the glow of noble kings or leaders. It was, therefore, not unusual for the people of Bangladesh to hope that their supreme leaders will be endowed with the courage never to submit or yield; and our folks could not be faulted for their desire to see their leaders as rocks in the wilderness of shifting sands.

Incompetence and timidity have undoubtedly disgraced our highest public offices and we all need to take a serious note of that. Persons who were oath-bound to protect the constitution but made a mockery of the solemn document have to be made accountable.

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Going back on their word

The parliament must reconsider its bill and take genuine steps to strengthen local democracy. The ruling party MPs were elected on a mandate of change, including empowerment of local democracy. They need to stay true to their word, fiscally and politically.

JALAL ALAMGIR

BANGLADESH'S democratic deficit looms large at the local level. Elected union and upazila councils have little power against top-down political and fiscal decisions. In its election manifesto, Awami League, wisely promised to empower local-level decision-making. But unwisely, party MPs have moved away from empowering local communities either financially or politically.

The recent budget allocates just over a fifth of ADP to local government, which is a small proportion compared to most other countries of South Asia. Both union parishad chairmen and upazila chairmen have justifiably asked for a larger share.

But allocation is only part of empowerment; the crucial element is the ability to spend it independently. Under current convention, most local government money will be spent according to the wishes of ministries and MPs. The World Bank notes correctly that Bangladesh remains "one of the most centralised large countries in the world."

There is strong evidence from around

the world that devolution and decentralisation lead to better government performance. For poverty alleviation in particular, which is the aim of the ADP, participatory decision-making has a more positive impact than do centralised approaches. Local democracy matters, greatly. But when it comes to decentralisation, Bangladesh repeatedly ends up preferring, for mainly political reasons to strengthen local government, but not local democracy.

In India, which is a federal system to begin with, constitutional amendments in 1993 further empowered local democracy, especially grassroots level panchayats. The panchayats got taxation powers, a better share of state revenues, and the elected bodies became stronger decision-makers about the development track of their respective localities.

It was not easy for Indian states to give up some of their decisional authority. Many state-level politicians continued to meddle in grassroots democracy. In places where reforms were genuinely implemented, such as Karnataka and Kerala, financial and developmental performance improved.

Studies show that local communities felt, for the first time, that they had power to shape the course of their lives.

AL's manifesto clearly had the same spirit when it promised: "Union, upazila and district councils will be strengthened through decentralisation of power." Furthermore, AL's Vision 2021 assured that "self-reliant local self-government institutions will be established at upazila and zila levels." Even the recent budget speech echoed this stance: "To empower people and to decentralise the power of the central government, the union and upazila parishads will be vested with additional powers."

But what has happened on the ground threatens to relegate these pledges to mere rhetoric. The new parliament passed a law in April to make MPs' advisors to upazila councils, stipulating further that local councils would be bound to accept the "advice" of MPs.

In one swift stroke, the paranoia and triumphalism of new parliament members dampened the enthusiasm for local democracy that the local elections of January 22 had created. Then, in May, the LGRD ministry published guidelines that further eroded the independence of other elected council members against the executive.

Elected union and upazila council chairmen strongly -- and rightly -- opposed this move. As one of the chairmen lamented: "I wouldn't have contested the upazila election had I known beforehand that parliament would make such law." Another

noted: "It seems we are elected just to sit idle in our offices." Some chairmen even threatened to declare MPs as persona non grata in upazila complexes.

The problem is not advice. MPs should be able to influence affairs in their constituencies. The problem is mandatory advice, which will choke local independence and perpetuate the ties that keep local leaders dependent on central politicians.

In exercising their power, but not wisdom, the MPs seem to have forgotten that they rely on local leaders in their own election campaigns. The mistrust will surely affect the implementation of local aspects of the ADP. Moreover, budget 2009-10 envisions greater revenue mobilisation at the local level. How would that come to fruition without strong cooperation from locally elected bodies?

The Indian experience showed that stronger local democracy led to better checks and balances, healthier competition within governmental authorities, and better civic culture due to people's participation.

If these are outcomes that Bangladesh too has reason to value, then the parliament must reconsider its bill and take genuine steps to strengthen local democracy. The ruling party MPs were elected on a mandate of change, including empowerment of local democracy. They need to stay true to their word, fiscally and politically.

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The damage can still be undone

Without the awareness of what is right, and a desire to act according to what is right, there may be no realisation of what is wrong. Over the years, the dividing line between right and wrong, moral and immoral, has ceased to exist. The tug of conscience, which was once there, has evaporated.

KULDIP NAYAR

INDIA has lived with the Babri Masjid topic for more than 50 years, first as an issue in the shape of controversy whether the Ram temple stood there once and then in the aftermath of the Masjid's demolition by some Hindu extremists. It was a dastardly blow to secularism, which the country had claimed as its ethos even before independence.

There were widespread riots in December 1992 and January 1993, with fanatic Hindus leading mobs. The 1993 Mumbai bomb blasts were the Muslims' vengeance against the pulling down of the Masjid on December 6, 1992.

The Justice Liberhan Commission, which took 17 years to submit the report, has at least put a judicial seal on what was known through mouth, print or electronic media. The report has tried to reconstruct the sequence of events. It has brought to the fore that it was the RSS, which had planned the destruction at Faizabad, some 10 kilometers from Ayodhya. It was not an outpouring of frenzy on the spur of the moment. Once the RSS gave the roadmap, the BJP provided the necessary help to the Bajrang Dal, a militant wing of the RSS, to execute the demolition plan to the shame of the Indian nation.

L.K. Advani, Murli Manohar Joshi and the then UP Chief Minister Kalyan Singh were some of the witnesses. One picture, which appeared in most newspapers, was that of

the gleeful Uma Bharti, then a BJP light, riding on the shoulders of Joshi. Some BJP leaders shed crocodile tears when they found that the common people had reacted with anger and disapproval.

Understandably, New Delhi dismissed the BJP government in UP. But it is still unexplainable why the Congress government at the centre did not act when all could see that a determined group of kar sevaks was armed with ladders, ropes, axes and rods, ready to destroy the mosque. P.V. Narasimha Rao, then the prime minister, did nothing to prevent the demolition -- as though he was conniving at the unholy tragedy.

The Liberhan Commission refers to the lapse but it does not hold Narasimha Rao guilty. This may give an excuse to the Congress to escape responsibility which lies squarely on the shoulders of the party to a large extent. True, the extremists struck the first blow, but the centre could have acted long before to ensure that the disputed Masjid would stay intact, particularly when the Supreme Court had ordered everyone to maintain the status quo.

Yet, the most reprehensible aspect of the episode is that a small temple came up on the demolished site overnight. I recall asking Narasimha Rao certain questions about it. He had invited a few senior journalists to his residence to seek help to quell the riots. I asked him how the centre had allowed a temple to be built after the UP government had been dismissed and cen-

tral rule imposed.

Rao explained that the central forces were flown from Delhi but could not land at Lucknow because the airport was engulfed with fog. I told him that he did not have to fly in troops from Delhi because there was already a surfeit of them at Ayodhya and around it. He had no answer but told me emphatically that the temple would not be there "for long."

That was in December 1992. The temple is still there. Hundreds of pilgrims visit the place daily. The government has vast security arrangements to protect it. No political party has ever raised the question of removing it from there. It can be said without contradiction that if the BJP government in UP was responsible for the demolition of the Masjid, the Congress was responsible for the temple coming up.

The Muslim psyche is hurt. The Liberhan Commission findings put a balm on the wounds in the sense that he has recommended certain steps which the community expects to be implemented. This does not look like happening. After all, the government has not taken any action against leaders like Shiv Sena chief Bal Thackeray, although the Justice Srikrishna Commission named him responsible for the Mumbai riots in December 1992-January 1993. Some BJP leaders mentioned by the Liberhan Commission for riots in the wake of the demolition are still at the forefront of the party.

The Congress initiated no action against those who took the law in their hands during the emergency (1975-77) and committed the worst type of excesses. In fact, the party punished those who brought the perpetrators to justice. No doubt, people were not killed. But there was a murder of values and institutions. Even the fundamental rights were suspended and the press gagged. The then attorney general proudly told the judges that if some police-

men were to shoot any one of them dead, they would not be able to haul them up.

My worry is that without the awareness of what is right, and a desire to act according to what is right, there may be no realisation of what is wrong. Over the years, the dividing line between right and wrong, moral and immoral, has ceased to exist. The tug of conscience, which was once there, has evaporated.

The Liberhan Commission has provided an opportunity to set things right. The guilty, however high in office or politics, must be punished. Democracy is nothing but the independence of institutions. They must be restored to the position that the constitution has spelt out for them. The demolition of the Babri Masjid was a consequence of bigotry that took over most people in the north at that time and still lingers at some places and in some organisations. The idea of India cannot exist for long without pluralism. The institutions have to rise to the occasion.

Before the demolition, when there were efforts to settle the Ram Janambhoomi-Babri Masjid dispute peacefully, many proposals were mooted. One of them was that the Babri Masjid and Ram temple should stay side by side. If the two communities could agree upon such an arrangement, then it would be in the spirit of accommodation. In that case, the Hindus could build the mosque and Muslims the temple.

My preference is that the site should be left as a vacant plot, without any remnants of the mandir or mosque. Just as people go to Hiroshima and weep over the destruction that the atom bomb had caused, we should also convert the Ram Janambhoomi-Babri Masjid site into a place of pilgrimage with the following words boldly inscribed: "Here is the place where our pluralism was murdered on December 6, 1992."

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