

Further amending upazila parishad law!

Will this strengthen the elected body?

GRD minister Syed Ashraf Islam has placed a bill before the parliament seeking alterations to the upazila parishad law whereby it appears that the executive authority over the local body will be further consolidated. The proposed law envisages widening of the definition of 'misconduct' on charges of which chairman, a vice-chairman or any member of a parishad can be removed from office as well as procedural changes in effecting the removal of an incumbent.

In the existing law misconduct is defined as 'misuse of power, corruption, nepotism and willful misrule'. In addition to these, the proposed legislation includes taking personal advantage by unfair means, partiality, extortion, theft, robbery, grabbing of property, breach of trust, rape and killing etc, some of which sound rather vague.

The bill says the government can remove a chairman, a vice-chairman or any member of a parishad 'on grounds of misconduct, refusal to discharge duties, absence for three consecutive meetings and mental and physical incapacities to perform duties, etc' by issuing a gazette notification. Whereupon it will appoint an administrator to perform the parishad's functions.

It is noteworthy that elected representatives retain their authority to pass no-confidence motion against a parishad member. However, the procedure for removal of an incumbent is being amended by empowering the Divisional Commissioner to investigate the allegations against a member after receiving a no-confidence motion signed by the majority. It is upon completion of the investigation and satisfaction of the commissioner that he will convene a meeting of the parishad in which the members will be called upon to pass a resolution to remove the incumbent in question with at least four-fifths majority. Then it will be sent to the government for final decision.

One important feature relates to redesignation of upazila executive officers from secretary to principal officers with evidently more power to be vested in them. Previously, they were only to provide secretarial assistance to the parishad. With the binding advisory role of the MPs vis-a-vis the upazila chairmen, the latter's powers are already curbed. Besides, the two sets of elected public representatives have been brought into a potential state of conflict. Now, the executive is given an extra mileage. In all, we believe, as many do, all this runs counter to the AL government's commitment in their electoral manifesto to strengthening the local government system.

One redeeming feature, however, is that the authority for scheduling the holding of upazila elections is proposed to pass from the government to the election commission.

Bangladeshi ship in pirate hands

Restraint and firmness needed to ensure crew safety

THE seizure of a Bangladeshi vessel, MV Jahan Moni, by Somali pirates on Sunday on the Arabian Sea once again brings to light a problem which has increasingly been upsetting sensibilities everywhere. The state of lawlessness which Somalia has been going through, particularly in the absence of a credible government, has spawned all this piracy which is today a menace before every nation engaged in shipping. In the past, these pirates have seized not only ships and their crew but have also abducted individuals who were simply on excursions on small vessels. It can be easily surmised as to what torment hostages go through at the hands of the Somali pirates, who hardly have any inclination, other than demanding ransom, towards demonstrating decent and civilized behaviour.

That said, the seizure of the Bangladeshi ship raises very legitimate fears about the safety of the 26 people, including the wife of the ship's chief engineer, on board. As we write this editorial, we note that the Bangladesh authorities have yet been unable to make any contact with either the crew of the ship or the pirates who abducted them. Meanwhile, satellite tracking has revealed that the ship is headed toward the Somali coast. One reason why the crew are not responding to calls on their mobile phones is not hard to imagine: in such conditions, it is the hostage takers who are in charge. They are not likely to allow their prey to be in touch with the outside world, at least not before they have themselves made their demands known. That is the lesser of our worries. A far more serious one is the risk now posed to the hostages' lives, a condition which surely exercises minds in the government at this point. Obviously, the authorities are scrambling to have this worrying situation brought to an end.

For Bangladesh, it is now important that the government establish contact with governments in and around Somalia in order to make sure that the 26 people on board stay safe. Additionally, the possibilities of making direct contact with the pirates, through intermediaries who have a record of dealing with them, must be explored. It is clear we are on some very dangerous ground here. Dealing with criminals operating on a global level is something we are not generally acquainted with. Which is why it is important that the issue be handled with restraint and yet with firmness. Until the hostages are freed and are back home safe, we have to be in a state of utmost alert.

Trimmed upazilas and bonsai democracy

Democracy, after all, is a continuum that calls for as wide an expansion of itself as possible. It begins in the village, goes up to the union and then to the upazila before it moves up to the district. On top of the structure is the centre.

SYED BADRUL AHSAN

A surefire way of making sure that democracy does not take root in Bangladesh is to take a big swipe at local government. And that is precisely what the Awami League-led administration appears to be bent on doing. In the name of bringing in amendments to the law relating to Upazila Parishads, it is actually busy trying to devise the ways and means by which it can strip the upazilas and indeed all forms of local government of their very essence.

Picture the condition if you will. We have before us all those upazilas elected by direct adult franchise, the very method by which members of the Jatiyo Sangsad were elected in late 2008. You might think, therefore, that the clout and appeal of these two sets of public representatives would be on a level that would make Bangladesh's people happy, that would reassure them that the country was on the right track to development.

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So what you expect of a pluralistic system in Bangladesh is a multi-tiered structure which is fully and genuinely representative of the grassroots. But what you have in reality, at this point, is a system of governance that is atrociously centralised in the nation's capital. Worse, those enjoying authority at the centre have somehow come to feel that local government, while looking and sounding good on paper, does not have to be the reality in our lives. But the upazila chairmen, vice chairmen and members were all elected by the people, weren't they? Your question will be brushed aside, in fact has been ignored.

Now, if the government is determined to have its way (and it can easily ride roughshod over the upazilas because of the huge majority it holds in parliament), what we the people will end up with is monstrosity of a kind. The government, whenever it feels an elected upazila body is not working the way it should, can remove the elected upazila representatives and replace them with an administrator.

It all makes you deeply worried, for two

reasons. In the first place, such a move will be an affront to the electorate and in effect tell them their votes do not matter. In the second, it will only reinforce the long-held belief that bureaucracy continues to hold sway over everything in the country.

Local government as a concept is therefore in a clear state of grave danger. There are the lawmakers who will feel profoundly riled if they cannot act as advisors to the local bodies. But why must they have a stake in the running of the upazilas when their function is to focus on their responsibilities as lawmakers?

Besides, by foisting themselves on the upazilas, they will only be coming in the way of a neat and clean practice of democracy. How many instances of nations can you cite that have their parliamentarians lord it over the local counties in their constituencies? And where can you spot a shining example of bureaucrats pushing aside elected politicians and taking their places?

The truth for us in Bangladesh today, where the matter is one of local government, is that the upazilas are at risk from the government, from the Jatiyo Sangsad and from the civil bureaucracy. An unabashed move has been underway to undermine local government. If it succeeds, you can be sure democracy in Bangladesh will be a stunted affair. There is nothing called bonsai pluralism or trimmed democracy, but if the Jatiyo Sangsad and the bureaucracy have their way, it will be chaos that will be passed off as local government.

So when Rashed Khan Menon rises in parliament to oppose the local government bill, he is only expressing the sentiments of a whole nation. Centralised government is endlessly a brutal and, in the end, an inconsequential affair. Observe carefully how we in this country have gradually but surely done nearly everything to ensure that presidential government is swiftly replaced by prime ministerial government. You may claim, from dawn to sundown, that we do have a parliamentary form of government in Bangladesh. We do not have to take your word for it, for the simple reason that it is not parliament which sets the course for us but the prime minister.

There is a cabinet, yes, but can you honestly put your hand on your heart and

convince the country that we do indeed have a cabinet government running the show? The police get into action after the prime minister issues a directive. Ministers do not move and in most instances cannot take executive action in their departments until the prime minister tells them to do so. And so you have a disturbing tale of a political system where the prime minister is anything but primus inter pares. Since the return of elected civilian government in Bangladesh in early 1991, the nation's prime minister has never been first among equals. She has been above all her ministers.

Democracy is manifestly more than the election of a new government. It means an effective structure of administration that springs from the simplest of hamlets and winds its way up to a stage where a powerful, responsible and transparent parliament exercises sovereign authority. It means a president of the republic whose authority will not be hamstrung by the cabinet. It is politics which has little place for such incongruities as Article 70 in the Constitution. Democracy does not come in disturbing little packages.

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Implications of Sarkozy's visit to India



Senior officials said that the French leader made a case for French defence companies to India. The Indian armed forces are currently procuring weapons from Russian, Israeli and US companies. To boost French economic and employment recovery amid Europe's debt crisis, Sarkozy has pushed for sales of submarines.

HARUN UR RASHID

IN 2008, French President Nicolas Sarkozy visited India without his partner. This time from December 4-7, Sarkozy was accompanied by his wife, Carla Bruni, much to the Indian media's delight.

Many say Carla Bruni has a tough act to follow. Last month, during US President Barack Obama's visit to India, First Lady Michelle Obama won hearts across the country by performing impromptu dances with school children.

Sarkozy's visit comes after those by British Prime Minister David Cameron and US President Barack Obama in recent months, and will be followed in swift suc-

cession by Chinese Premier Wen Jiabao and Russian President Dmitry Medvedev.

In less than two months, Prime Minister Manmohan Singh would have met four heads of nuclear states, all permanent members of the UN Security Council.

The visit of Dr. Manmohan to France in July 2009 helped India to review certain very important issues, particularly civil nuclear cooperation, defence and the strategic and political dialogues. The visit of the French president was to build on the continuity of the engagement at the highest political level.

In addition to Dr. Manmohan Singh's visit to Paris in July 2009, the two leaders met in Port of Spain in November 2009, in April 2010 in Washington, and then during

the G-20 Summit in Seoul last month.

Sarkozy, accompanied by a bevy of ministers and a large delegation of business leaders, will lobby for multibillion-dollar contracts for fighter jets and nuclear technology, an industry in which France has a leading position.

The French president commenced his visit in Bangalore, where he visited the Indian Space Research Organisation. In his address there, President Nicolas Sarkozy called for a permanent seat for India in the UN Security Council.

He said it was "unthinkable" that a country of a billion people should have no representation in the Security Council. He further said that India's recent election to the Security Council for two years (2011-12) "must serve as the prelude to a permanent Indian presence within the UNSC."

France hoped to take in three times the number of Indian students in its universities by 2012 compared to 2007. Sarkozy said: "France wishes to expand ties with Indian universities, and wants to host more Indian students."

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France was India's fifth-biggest trading partner in 2009. French-Indian trade in the first nine months of this year was worth \$7 billion.

France has been struggling to keep its position as fifth largest arms seller to India, behind Russia, Israel, the UK and Germany, according to data collected by the Stockholm International Peace Research Institute.

India has increased defence spending partly in response to China's military build-up. A report in January by the New Delhi office of accounting firm KPMG and the Confederation of Indian Industry showed that the defence ministry budget is \$32 billion for 2010. India plans to spend \$112 billion over the next six years to renew or upgrade equipment.

French arms purchases "are something that India is very open to because there is a strong desire that we should not put all of our eggs into one basket," said Nivedita Das

Kundu, a research fellow on Indian foreign relations at the government-backed Indian Council of World Affairs in New Delhi.

Sarkozy reportedly sought to advance talks on an Indian Air Force tender from 2007 to buy 126 warplanes worth \$11 billion, the world's biggest fighter-jet purchase in 15 years.

Paris-based Dassault Aviation SA, with its Rafale, is competing with Chicago-based Boeing Co, Lockheed Martin Corp, Stockholm-based Saab AB, European Aeronautic, Defense & Space Co, which has headquarters in Paris and Munich, and Moscow-based OAO United Aircraft Corp.

The French president had also been pitching for new nuclear energy contracts while stressing his hosts' increased power in world affairs. "We all know how critical it is for India to ensure its energy security," Sarkozy said in a speech at the Indian Space Research Organisation in the southern Indian technology and IT hub Bangalore.

Stressing that he welcomed a US-led deal in 2008 to free up trade in nuclear technology with India, Sarkozy said France was "proud" to be accompanying the country in its quest for greater atomic power.

India's environment ministry last weekend gave clearance for a project worth an estimated one trillion rupees (\$22 billion), which will see French state nuclear company Areva supply six third-generation pressurised water reactors.

Meanwhile, on December 4, Indian villagers protested at the site of a nuclear power plant to be built with French help, campaigners said.

Greenpeace energy specialist Lauri Myllyvirta said that at least 10,000 people had turned out to oppose the construction of the facility at Jaitapur in western Maharashtra state amid a heavy police presence.

Sarkozy is the latest in a long line of world leaders beating a path to India, the world's second-fastest growing major economy. Like Cameron and Obama before him, Sarkozy emphasised India's increased influence in the world, which analysts say stems from its fast-growing economy and its resistance to the global financial crisis.

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