

Amending Article 70

M.A.S. MOLLA

A Parliamentary committee on constitutional amendment has scrutinized the reprinted (draft) Constitution of Bangladesh. It is said that the Constitution will undergo the 15th Amendment in a month or two. Article 70 of the Constitution has both beneficial (in safeguarding against floor-crossing) and harmful (in making mandatory for MPs to always support the party position, right or wrong) provisions. Therefore, amendment to this article has become an issue.

Article 70 has three clauses. I copy here clauses (1) and (3) for better understanding.

Clause (1): A person elected as a member of Parliament at an election at which he was nominated as a candidate by a political party shall vacate his seat if he resigns from that party or votes in Parliament against that party.

Explanation: If a member of Parliament-- (a) being present in Parliament abstains from voting, or (b) absents himself from any sitting of Parliament, ignoring the direction of the party which nominated him at the election not to do so, he shall be deemed to have voted against that party.

Clause (3): If a person, after being elected a member of Parliament as an independent candidate, joins any political party, he shall, for the purpose of this article, be deemed to have been elected as a nominee

of that party.

Clause (1) of the Article has the provision for mandatory "vacating of his (or her) seat" on the ground of floor-crossing. It is understood that the main purpose of this article was to stop leaving of the position (government) or the opposition to join the other side for some gains. Thus, the purpose of this article was undoubtedly good for parliamentary practice. But unfortunately, Clause (3) allows an MP elected as "independent" to join any party. Therefore, all the provisions under this Article are not necessarily for good parliamentary functioning.

The first condition of mandatory vacating of the seat of a Member of Parliament (MP) is resignation from the party from which s/he had been elected. Resignation from the nominating party is obviously to join the opposite bench for some benefit, and usually the direction of crossing the floor, if allowed, would be to the stronger from the weaker party. Since the ruling party is often the stronger one, without this safeguarding clause many from the opposition would easily join it for personal benefit, disregarding the electorate's interest.

In case of marginal majority of the ruling party, finding the party getting weaker (regarding popularity), some MPs from the government party could also join the opposition, effecting a change in the government and thus jeopardising parliamentary democracy.

Therefore, barring MPs from resigning is an essential provision. In the same count, Clause (3) requires revision to bar an independent MP (who is logically counted with the opposition) so that s/he can't join any political party (that would almost always be the ruling party).

The second part of Clause (1)

includes "or votes in Parliament against that party." This part literally bars an MP from saying anything against the party, and thus the provision forces him/her to always support the party decision even if the MP concerned has strong reasons to oppose it, and even if the decision is actually wrong. Thus, the

article, unfortunately, "domesticates" every MP to always clap for the party leader in our obliterated democratic practice where the problem is not refusal or protest but sycophancy and unquestioning bowing down to the wishes of either this or that leader.

To nurture the spirit of speaking

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the truth, the required protest against ill-designs of few politicians and the refusal of unquestioned "obedience," MPs must have right to vote against his/her own party. In essence, the right of registering protest against the nominating party's bad stance is the minimum required democratic norm in the present democratic practice of Bangladesh.

It is well understood that an MP usually resigns from a party just to join another (for personal gain), but voting against the party is almost always out of question. Thus, after amendment, Article 70 (1) can read as: "A person elected as a member of Parliament at an election at which he was nominated as a candidate by a political party shall vacate his seat if he resigns from that party." But the part "or votes in Parliament against that party" should be repealed forthwith along with the explanation thereof under (a) and (b).

Besides, Clause (3) should also be repealed totally or be amended such that an "independent" MP, if s/he joins any party during the tenure of a Parliament (s/he must have right to join any party in completion of the Parliament in which s/he was elected as independent), must also vacate his/her seat.

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STAR

The message of Resurrection: To God be the glory!

MARTIN ADHIKARY

He appeared in a body, was vindicated by the Spirit, was seen by angels, was preached among the nations, was believed on in the world, was taken up in glory," so sang the earliest Church about Christ. The Christian festival of Easter is being celebrated today. Christians all over the world commemorate the resurrection of Christ from the dead -- the first article of Christian faith. God vindicated His Son by raising him from the dead. So Christ did not see corruption of his body. Crucified Christ is crowned in his resurrection.

The disciples gave more emphasis on Jesus' resurrection than on anything else. They staked everything to do that, even to the point of martyrdom. The apostle Paul wrote to the Church in the city of Corinth: "And if Christ has not been raised, our preaching is useless and so is your faith." To quote the Most Rev. George Carey, the former Archbishop of Canterbury: "If you were to take a pencil and cross out every verse in the New Testament which refers to the resurrection or to the idea that Jesus Christ is alive, you would not have much of the New Testament left. It throbs with the conviction that Jesus was raised by God and is alive for evermore."

Supernatural God went beyond natural boundaries in the resurrection event, which cannot be comprehended by any logic or reason. Yet, this is the very heart of Christianity and is the Good News of Christ.

To the believer, Easter speaks of the fact that Christ is eternal, it assures us that our sins have been forgiven as Christ has conquered death, the consequence of sin. Now we have easy access to the throne of God's grace justified. We also have a hope of eternal life with God. Lastly, we can have in the resurrected Christ an experience of the transforming power of the Holy Spirit that strengthens us in our trials and sufferings. These need to be real life experiences.

Much of Jesus' teachings were

against mere ritualistic worship and lip-service. He quoted them God's Word from the Old Testament: "These people honour me with their lips, but their hearts are far from me. They worship me in vain; their teachings are but rules taught by men (Matthew 15:8-9)."

Today, most of our religious activities are like they were at that time. So we cannot enjoy the blessings of religion, instead we fall short of all that we believe and preach. This is

dialogically wrong relationship both with God and with his fellow-beings. Gradually, sin makes us so insensitive that we cannot realise the gravity of the situation.

One bad thing about many of us is that we tend to compromise with evil, we bend our beliefs and norms for the sake of our selfish interests. The Scripture warns us against this when it says: "Anyone, then, he knows the good he ought to do and does not do it, sins (James 4:17)."

The Biblical revelation says that God so loved Man, He so valued him that He worked for five days to create the right and good environment for Man to live, and only after he could say that everything in

going to the other world or to heaven, they are for loving and respecting our lives here and now, they are for living and letting others live with dignity and worth so that eventually God is glorified in the crown of Creation.

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SYED BADRUL AHSAN

THE Pulitzer crown has come to rest on Siddhartha Mukherjee's head. The young Indian-American (he was born in 1970) has just come by the prize in the non-fiction category for his very well-received *The Emperor of All Maladies: A Biography of Cancer*.

As the title of the work makes it clear, it is a history of the debilitating disease that Mukherjee goes into. And, obviously, he would know. For he has been trained in medical science and has had ample experience in handling people afflicted with cancer. That, as also the fact that he has put an enormous degree of research into his work, naturally brings riveting attention to it.

You would normally not expect someone in the medical profession to author a work not just significant in terms of its medical value but also as literature. That last bit is to be noted: for all its study and exposition of the realities related to cancer, the book makes gripping reading because of an unmistakable literary thread running through it.

Mukherjee brings into the larger picture an overall history of cancer and the many attempts to eradicate it, along with references to medical personalities such as William Steward Halsted, Sidney Farber and Min Chiu Li. So what you have before you is history at two distinct levels: that of the malady itself and that of those who have for ages struggled to beat it back. And the narrative comes in a style one could safely consider to be literary.

Siddhartha Mukherjee went to school in Delhi, indeed to the same St. Columbus School that the actor Shahrukh Khan went to. When it came time for him to pursue undergraduate studies, it was to Stanford that he moved. And then came the moment when Mukherjee won the honour that comes with being a Rhodes Scholar. At Harvard Medical School, he maintained the intel-



PETER DENNIS

To the believer, Easter speaks of the fact that Christ is eternal, it assures us that our sins have been forgiven as Christ has conquered death, the consequence of sin.

true about every religion. Today, we need to focus more on the values of our religions. We need to take the sins that we see being committed in both personal and corporate lives of people and their seminal consequences ever more seriously.

Heinous crimes are committed in the name of religions, for some theocratic visions, for the other world at the neglect of this real world that we live in. All these are the signs of a world engulfed by the sins of greed, lust, pride, jealousy that first of all put man in a

creation was "Good" He created Man. So we need to think seriously about our lives, the meaning and purpose of life as we are the Crown of Creation. I know that this is true in all religious teachings.

Poor and helpless people, and those whom we call "illiterate or uneducated," are not responsible for the overwhelming evil, ills and corruption that we are forced to live with. So the remedy lies in an authentic transformation of our mind-set, our attitude and our ways. Religions are not only for

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The Resurrection gives a clear challenge for renewal and transformation of our lives. It bids us to a death-to-self, "the old man" or "old nature" that resides in each one of us, and to live a regenerated life in a right relationship.

The writer is a teacher of Theology.

The cancer biographer

lectual brilliance which has now brought him the Pulitzer.

Was he surprised at news of the award? Which writer wouldn't be? That is his sister Ranu Bhattacharya, a teacher and married to an Indian diplomat, speaking. The family, of course, were terribly thrilled. Mukherjee's parents live in Delhi. As Ranu Bhattacharya explains, theirs is a Bengali family based in the Indian capital.

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The siblings -- it is Siddhartha and Ranu -- have both been avid readers since childhood. Birthdays for them would mean a gift of books, the number of books equalling the number of years crossed with each celebration of birthdays. Listen to the sister again: "Books were a huge thing in our house."

The mind at its powerful seems to underscore Mukherjee's family life. His wife is a sculptor, having achieved academic laurels on her own.

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