

PLEASURE IS ALL MINE

# Politics of constitutional amendment



SHAH HUSAIN IMAM

A former British Prime Minister Harold Wilson once said: "A week is too long a time in politics." How many weeks have turned into months and months into quarters; and yet stagnant politics shows no sign of purring in Bangladesh! Even a wilted fallen leaf of a tree hums to a mild breeze.

It seems close to three years is too short a time for politics to take any definite shape and resolute direction. While the pundits and politicians wrangle over constitutional amendments in the sequel to Supreme Court's invalidating Fifth Amendment, the citizenry are left stupefied by the noisy controversy. The diatribe dancing around tiny parcels of semantics and technicalities is just getting us nowhere. People are confused and that too with a sense of foreboding.

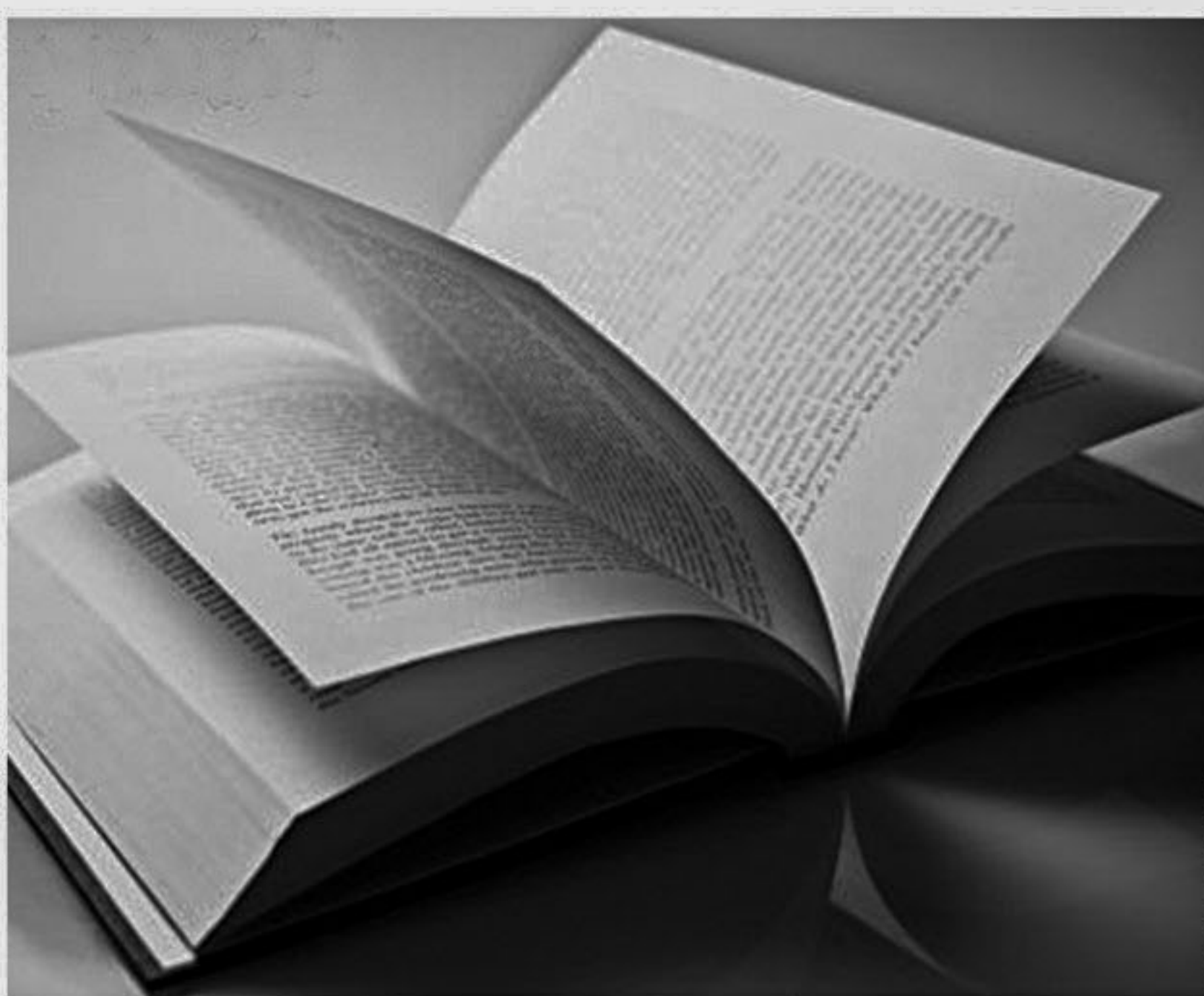
The opposition has demanded a referendum on the constitutional amendment issue. Well, it was apparently the most obvious choice to make but the overturning of the Fifth Amendment meant the clause

on referendum is no longer a part of the statute book. Even so, one could perhaps argue that eliciting public opinion on a bill, as the phrase goes in parliamentary parlance, might be resorted to in case of a necessity to ride out the difficulty of reaching a consensus.

But take a referendum for the argument's sake, the question is not so much whether we can or should go for it, the issue is practicability here. How do we frame the point or points of determination? What is the proposition the electorate will be called upon to vote for or against? Are we going to ask people: "Do you support or oppose power grabbing through unconstitutional means?" For sure, overwhelmingly, the people would say NO to such takeover. So, even theoretically, what's the point of pressing for referendum on this particular constitutional issue.

One plausible reason why the BNP chairperson is averse to an annulment of the Fifth Amendment is the automatic dropping of the clause for referendum in it, which former President Ziaur Rahman had embodied in the Amendment.

The BNP argues that it is a political issue and as such should be resolved through political means. But the issue is more constitutional



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than political and no party should try to make a political capital out of it. In any case, a political process is now on to embody a constitutional safeguard against power grab through the back door. To be reactive and not pro-reactive to the initiative risks lending BNP position to an interpretation that maybe the party is not interested in a legislative safeguard against the possibility of power grab through an extra constitutional route. Does it not sound impolitic?

But doesn't the BNP have, as a democratic party, a stake in common with other democratic parties in sealing off all the routes of such ascension to power? If they have any substantive reservations over the process of amending the constitution, it is all the more reason why they should put across their viewpoints to other parties. The ruling party has placed all its agenda on the table. Why as the principal opposition party it shouldn't be doing the same is not easily understandable except in terms of putting a spanner in the works, an impression, we hope, it is perhaps unwittingly creating.

The BNP's terming the ruling party invitation to the talks "dubiously motivated" needs to be substantiated for the sake of informed

public perception of its position.

BNP spokesman Barrister Moudud Ahmad has said that since a review petition has been filed by the ruling party to the Supreme Court on the highest court's ruling on Fifth Amendment the matter should await the disposal of the petition. The thing is, the review petition relates to a technical matter of an observation by Appellate Division; it has nothing to do with the substantive judgment.

In the ultimate analysis, however, the strongest ramparts against any invasive takeover of power can be built by the major political parties themselves. By closely embracing a "live-and-let-live" policy in place of breakdown of communication and normal working relationship, the institutions of democracy will be strengthened as a bulwark against political misadventure. That is the safety-valve they should be working for. The amendment process can be a good starting point for rebuilding relationship rather than opting for a fait accompli for the ruling party to pass a legislation through its absolute majority in parliament. This can't be what the opposition would like to see.

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## Power pundits

SYED MAQSUD JAMIL

DHAKA has become a patchwork city of over 13 million people spreading in all directions, from Keraniganj in the south to Gazipur in the north, from Savar in the west to Rupganj in the east. The city, if one considers its area, is not that big. But the nature of settlement has been unplanned; barring the posh residential areas. The roads are not spacious, with footpaths and corridors on both the sides occupied by floating vendors, makeshift bazaars and endless stream of jaywalkers.

In some estimates Dhaka produces over 5,000 tons of kitchen waste daily (mainly vegetable scraps and food wastes); this too could be a misleading figure. This labyrinthine metropolis' woes are further compounded by brutal power outages.

The power barons have a stranglehold on the city. The other abettor is the City Corporation that lazes in drift. Dhaka has a hope in its garbage of "Municipal Solid Waste" (MSW). Electricity can be produced by burning MSW as a fuel. MSW power plants, also called waste to energy (W2E) plants, are designed to produce electricity as a byproduct of incinerator operation. This saves fossil fuels.

MSW consists of everyday items such as vegetable and food scraps, packaging garbage, discarded furniture, clothing, bottles, plastics, pet bottles, newspapers, appliances, etc. It should be mentioned here that medical, commercial and industrial hazardous wastes that remorselessly contaminate our rivers and water bodies must be treated separately.

Electrical Power Agency (EPA) in US estimates that in 1998, 17% of the nation's MSW was used to generate electricity, with 14% of electricity generated in Pennsylvania. The balance was used in recycling, compost, and other purposes. Fourteen percent of Pennsylvania's need is perhaps equal to 80% of Bangladesh's needs.

Denmark and Sweden have been leaders in using the energy generated from incineration for more than a century, in localised combined heat and power-district heating schemes. In 2005, waste incineration produced 4.8% of the electricity consumption, 13.7% of the total heat consumption in Denmark. The cities of Bangladesh, Dhaka

in particular, are declining at an alarming rate. Garbage containers are visible in only posh areas. Those are nauseating sights. Collection of MSW by city corporation garbage containers is irregular and thoroughly lackadaisical. The horrendous aspect about it is that the collected MSW is dumped in Dolairpar landfill, which turns into producers of methane for the next 100-200 years, causing very serious health hazards for people, especially children whose rate of breathing is higher than adults. The rest of the

A society cannot survive without electricity. Generation of electricity has three vital aspects, price of fuel - particularly fossil fuel -- state of the environment and global warming. The management of municipal solid waste, its recycling and the conversion of waste to energy make sense because it solves all the problems.

As long as there is mankind and as long as there is habitation, MSW is crucial because people will continue to create garbage and trash. In this sense MSW is a renewable form

Now, is Dhaka City Corporation, or any other government agency, up for the task? Sometime back, DCC requested a German organisation to fund and manage a feasibility study on W2E by renowned professionals from Europe in order to have up-to-date facts/figures on Dhaka-MSW and to have a basis on which DCC and the government may ask for bids from reputed technology companies for production of electricity from MSW.

Over 20 MW electricity might be produced from Dhaka MSW alone. The study was to address issues like use of MSW for W2E, compost and recycling and the technology required for it. The study will also suggest ways for obtaining funds from foreign countries.

Here come the power pundits into the picture. Just as organisation managed funding to the tune of approximately •100,000 for a serious study by experts from Europe, and drafted the Terms of Reference (TOR) for the feasibility study, they had to stop because, in January 2011, the Local Government Division (LGD) of the ministry issued a pre-qualification notice asking potential bidders for 10 MW power plants from MSW without any specifics or facts or feasibility study.

LGD said that the bidders would conduct their own feasibility study! However, LGD mentioned that there was a study in 1994. But the world has gone far ahead in the last 16-17 years. In the present context it is a serious ecological issue.

Development has always struggled in Bangladesh due to lack of proper planning, study and selection of proper technology. Obviously, the success rate has not been of encouraging level. There are pseudo-pundits everywhere, masking the greed of vested interests.

The organisation's sincerity has been discomfited by the foolhardiness of the concerned government agency in going ahead without an up-to-date and proper feasibility study of the availability of MSW per day, the collection system by DCC and the technology is to be adopted for the purchase. The result may be advantageous for a few but the benefits will not reach the citizens!

The writer is a contributor to The Daily Star.



RADIUS IMAGES

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MSW end up in rivers and other water bodies around Dhaka.

MSW Management is very important for a big city. The foremost aspect is that MSW recycling is immensely environment-friendly. However, it must be said that the technology that converts MSW into W2E varies from country to country depending on the nature of kitchen dumps. Dhaka dumps are definitely different from those of London or Toronto.

of alternative energy, and most of all it is environment friendly.

Think of a scenario where garbage is not removed and taken care of, cities would become overrun with waste, rodents, insects and germs. This benefits the society and the world twice, once when the garbage is removed and does not end up in a landfill polluting the earth and taking space. The second benefit is a source of energy that is cleaner and more eco-friendly than fossil-fuels.

## Cops pepper-spray kid



Nury Vittachi

POLICE used pepper spray to subdue an out-of-control kid aged eight last week.

His shocked mother said they should have just reasoned with him instead.

Her argument sounds reasonable -- to people who've never had to deal with eight-year-olds.

Man, I'm telling you, pepper-spray is the minimum force necessary.

Personally, I'd go for an all-steel Gundam suit, an armored outfit which should be issued automatically (along with a certificate of insanity) to anyone crazy enough to choose teaching as a career.

Consider this: The kid in question, Aiden Elliott of Colorado, was smashing down a door to fulfill his declared aim of slaughtering the school staff.

It's hard to reason with infants intent on murder.

"Put down the axe, sweetie, and let's read Winnie-The-Pooh together instead."

I've used this line and it doesn't work.

Police took one look at the kid and decided excessive force was needed.

This took place in the US, so weapons choices ranged from nukes to the USS Nimitz.

Pepper spray was the gentlest option.

The child was told that mass murder was "very naughty."

Clearly this kid is going to be a major football star one day.

As an experienced parent, with scars to prove it, I can tell you that children having tantrums need a 20 km exclusion zone (30 km for boys).

Afterwards, a TV reporter asked Aidan whether he really intended to kill the

school staff.

"A little," he admitted.

Personally, I don't see a lot of difference in being killed a little or a lot. Either way you're dead, a condition which puts a significant damper on your weekend party plans.

"One in eight violent crimes were attributed to juveniles," says a recent survey issued by the Justice Department in Washington. "These are broken down to one in ten arrests for murder, and one in four arrests for robbery, burglary, larceny-theft and motor vehicle theft. Females accounted for 30% of juvenile offenders."

The figures pretty much match those at my house.

To discipline our kids, my wife uses "time-out," sending the child to his or her room.

I'd prefer to deploy smart bombs remotely from lead-lined chambers in a neighboring country, but I am waiting for prices to fall.

Nigel Latta of New Zealand, host of The Politically Incorrect Parenting Show, is being criticized after he last week urged parents to padlock bad children into their bedrooms.

Reasoning with toddlers, he said, was "like trying to explain bad behavior to drunken rugby hoons [louts] with the language skills of chimpanzees."

I was shocked. How can he get away with insulting chimpanzees like that?

Anyway, I have learned from long experience that children like heavy discipline.

At the school my offspring attend, teachers organized a Victorian Day, shouting at the children, forcing them to march in the playground and threatening to hit them with big sticks.

"Again! Again!" the delighted kids shouted.

No doubt in 100 years' time teachers will organize a History Day looking back to this week, during which kids will try to smash down the staff-room doors and police will blast them with pepper-spray.

"Again! Again!" the kids will shout.

Column finished, time to go home.

Now where's my Gundam suit?

To know more, visit our columnist at <http://mrjamil.typepad.com>