

CROSS TALK

The consultation process

Opposition needs to be engaged

APPRECIATIVELY, the parliamentary special committee on constitutional amendment involved all conceivable cross-sections of society in a consultation process that seems to have concluded the day before yesterday. To our mind, it has not quite ended.

There has been one lacuna. For neither the main opposition Bangladesh Nationalist Party (BNP), nor its alliance partners, nor the opposition-leaning members of the civil society and the intelligentsia did participate in the consultation.

In spite of that, some valid points have come to the fore. The caretaker government system has been tampered with. This has led to the participants at the consultation laying emphasis on strengthening the Election Commission (EC) with a renewed vigour. In a bid to have the chief of the caretaker government in its favour, a ruling party had resorted to increasing the retirement age of the Supreme Court judges and appointment of party loyalists superseding seniors was taken recourse to. Such practices have only compromised the integrity and credibility of the judiciary.

There is no gainsaying the fact that the EC has to be made autonomous both structurally and financially so that it can work independently. And that the appointments of the Chief Election Commissioner (CEC) and the commissioners have to be made in strict conformity with constitutional provision by choosing impartial and non-partisan persons for the posts.

That way, the EC will not only be able to function independently, but it would also not remain beholden to the government of the day.

The opposition keeping out of the consultation process is neither congenial to, nor desirable for reaching a consensus on constitutional amendment.

To that end, the government will need to go the extra mile to engage the opposition in the process. But the opposition must also not capitalise on the issue as a ploy to push its political agenda. If it goes that way, it will be doing disservice to the nation as well as to its constituencies.

Let us not forget that the constitutional amendment issue is not the creation of the government. Actually, it has taken centre stage in consequence of a court verdict that necessitated legislation. As such, the opposition would do good to itself and the nation by looking at the whole issue from that standpoint.

Diplomat on border killings

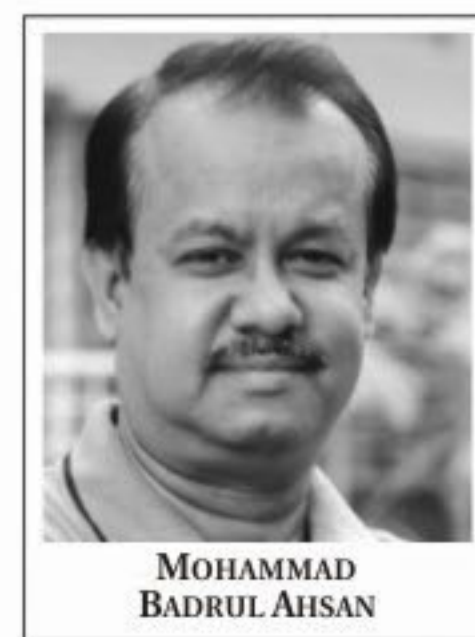
The issue needs serious handling

INDIAN Foreign Secretary Nirupama Rao's call for joint efforts towards putting an end to killings of people on the Indo-Bangladesh border draws attention once more to an old, known problem. To be sure, Ms. Rao's remarks, made to a group of Bangladeshi journalists in Delhi, are welcome and reflect India's concern over an issue that has exercised Bangladesh's mind over the years. That both Dhaka and Delhi need to sort out the problem through making sure that civilians, both Indian and Bangladeshi, are not pushed to unexpected death on the border, has never been in doubt. But the realities, particularly for Bangladesh, have been rather painful. With reports almost always coming in of some Bangladeshi national or other being shot by India's Border Security Force, it makes sense to ask if better measures cannot be taken to deal with the issue.

The Indian diplomat has noted that forty per cent of those killed on the border happen to be Indians. We are not quite sure how this figure has been arrived at. Even so, it raises the disturbing spectre of a border force, India's, inclined to be trigger-happy. For us in Bangladesh, all this talk of joint efforts to contain the problem is something we have heard earlier as well. There have been assurances aplenty on the need to tackle the issue. In equal measure, there have been all the claims and counter-claims flying back and forth between the two capitals on who did what to whom along the common frontier. Such attitudes have only revealed an absence of seriousness on the part of those concerned about the issue. In turn, there has been a lack of willingness to deal head-on with the problem.

All said and done, though, it is the expectation that Ms. Rao's sentiments will mark the beginning of a fresh new approach to the border killing issue. Let Bangladesh and India get down to serious talks, for shooting people dead on the border raises the question of human rights as well.

Small investors sleep like babies



MOHAMMAD
BADRUL AHSAN

IT says in a joke that a man told his friend he was sleeping like a baby ever since he had lost money in the stock market. The

puzzled friend asked what that was supposed to mean, and the man replied that he woke up every hour and cried. More than three million investors in this country have lost their money in the stock market, and I don't know how many of them can sleep at night. But I have got a friend who has lost more than half his savings. He wakes up every hour and cries like a baby.

Are these investors sleeping any better since the finance minister held the press conference last Saturday? He said many things that did not exactly pour honey into the ears of those who eagerly waited to hear more from him. The probe committee report will be released uncut. The Securities and Exchange Commission will be recast. Then the minister also said that further investigations would be held to punish the culprits of the share scam.

I can't speak for other investors, but my friend isn't convinced. The first question he asked was why did the finance minister change his mind? And what is the big deal about releasing the report now that most of it is public knowledge? Then he says that the first thing the honourable minister should have announced was a committee to investigate the names.

Yes those names. It appears that we are losing sight of that wood for the trees. Why did the minister initially announce that he was going to release the report only after redacting those names? Why did he say that the small investors were a greedy bunch of silly people who deserved what they got? In the process the investors have lost confi-



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They turn in their beds. Their blood pressure shoots up. They talk to themselves, tormented by the despair that they have nobody but themselves to blame.

dence in him. He appeared to be more concerned over the reputation of a handful of manipulators than the well being of more than 3.3 million wretched people.

We are glad the minister has spoken to us last week. We are also glad he has changed his mind. But there is a time for flowers, and there is a time for fruits. The minister has definitely missed that point. It's late in the day to give us the names, which are already on our lips. He should have taken us to the next level. He should have given us more.

For example, what does he plan to

do with those names? How does he plan to proceed with further investigation? What is he going to do so that the next investigation won't meet the fate of the previous one? How do we know this won't be just another ruse to bide time so that it recedes in public memory and the culprits get more time to erase their fingerprints?

In essence, Saturday's press briefing was mere rumination. It reminded us of the scam, and for the victims it was yet another occasion to add insult to their injury. It was a rude awakening for them that

their minister wasn't worried about them.

Because, hoping against hope, the luckless investors had kept their fingers crossed. They expected the finance minister to separate whey from milk. They expected a kind of closure to their grievances in the same way a victim's family comes to watch a killer in the electric chair.

Instead, the whole thing turned out to be eclectic. It showed political calculations, not moral mathematics. It showed that while a government needed ordinary people to get elected, it needed extraordinary people to stay in power. It ricocheted an unsavoury truth that the democratic aspirations of people in this country are being exploited by the plutocratic ambitions of a few crooks.

To put the matter in perspective, the share scam has been the biggest heist in the history of this country. It was a serial crime that robbed 3.3 million homes in this country. How can the minister choose to look the other way and do nothing to catch the culprits?

My friend had high hopes that something was going to be done. He thought the minister was going to bring some comfort to those homes, where insomniac investors mourn for their money in characteristic rituals. They turn in their beds. Their blood pressure shoots up. They talk to themselves, tormented by the despair that they have nobody but themselves to blame.

I know my friend goes through all those steps. Lately, he is obsessed with his allegory of the amusement park. Who is responsible if children get hurt due to technical fault in a ride? The finance minister is responsible for the share market. Why isn't anybody talking about it?

I asked what John Kennedy once did: "Who said life was fair?" My friend replied that he was convinced last week.

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Proposed national caretaker government

MUSLEHUDDIN AHMAD

THE present system of the caretaker government must be done away with. It should be a National Caretaker Government. We must also be mindful of constitutional continuity of the democratic governing system.

The president of the Republic, being a constitutional head, cannot become chief executive overnight. He is not elected to perform such a function. The country's highest court must be kept out of politics. Enough damage has been done to the abode of justice through CTG system.

After the dissolution of the Parliament, the incumbent prime minister will continue to head the proposed NCTG during the three months till the election to maintain constitutional continuity of the democratic governing system. If the elected government can be trusted for five years, why should it not be trusted during three months only?

The problem seems to be unconstitutional, and MPs indulge in corruption during elections. All MPs should behave as MPs and carry out the heavy and honourable responsibilities entrusted to them by the people of the State.

As the prime minister will head the NCTG, it will be appropriate to have the leader of the opposition in the advisory council as the deputy PM, or he/she can nominate an advisory council member who will be in-charge of the Ministry of Home Affairs for the period. This is to bring some form of balance in the administration. Obviously, all cabinet ministers and advisors have to resign three months before the election.

The prime minister-in-charge of the proposed NCTG shall have an advisory council of say 15 members (PM + government party (7 members) + opposition leader + opposition party (6 members) to be appointed in the following manner). Independent MPs are to be nominated by the concerned political parties represented in the Parliament.

The prime minister-in-charge will run the day-to-day administration

election campaign. If government transport is used by the prime minister-in-charge to save time, similar facilities will have to be extended to the leader of the opposition, i.e. the deputy PM.

No government officials except police and security forces on duty for maintaining law and order shall be present in any political /campaign meetings. Electronic media time in BTv for election campaign must be allocated equitably to all

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on the advice of the advisory council, primarily on the basis of consensus. The government will act only as a caretaker government. It will, however, extend all necessary help and support to the Election Commission (EC).

No major political and economic decisions will be taken by the prime minister-in-charge or the advisory council during the three months of election period. The prime minister-in-charge and the advisory council members shall pass no orders/instructions/advice whatsoever to the Election Commission on any election matters.

Government machinery and facilities will not be used by anyone for

political parties.

The EC will be fully responsible for the election. The caretaker government will only extend help as requisitioned by the EC. Election Commissioners shall surely, as the nation demands, act totally neutrally and without any political bias.

The EC shall take full charge of the election. It shall run the election on the basis of the Election Act and Rules and other guidelines given by the Parliament. It will not take any orders/instructions from the NCTG or any political party for running the election.

Required contingent of police and other security forces will be placed under the EC for the election

period, and they will take orders only from the EC. No officer and staff connected with the election will be transferred without the written approval of the Election Commissioner.

National and international observer teams shall also be invited/allowed to independently watch the election and election activities and give and publish their views.

The above suggestions may be considered to be appropriately reflected in the Constitution. The suggestions also include the following:

- The duration of the parliament should be four years and not five;
- One can be prime minister only for two terms. The prime minister should not remain the party chief;
- Ministers should not be from the MPs. The MPs are elected to enact laws and not to run a country. The administration should be run by those who have such experience. If, however, any MP is appointed as minister considering his/her experience, he/she should resign as MP. All ministers appointed must have the approval of the Parliamentary Committee and then of the Parliament;
- There should be quick decentralisation of power;
- Local governments must be strengthened and MPs should not be advisors to the Upazila administration.

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THIS DAY IN HISTORY

May 6

1857
The British East India Company disbands the 34th Regiment of Bengal Native Infantry whose sepoy Mangal Pandey had earlier revolted against the British and is considered to be the First Martyr in the War of Indian Independence.

1889
The Eiffel Tower is officially opened to the public at the Universal Exposition in Paris.

1942
World War II: On Corregidor, the last American forces in the Philippines surrender to the Japanese.

1945
World War II: Axis Sally delivers her last propaganda broadcast to Allied troops.

1945
World War II: The Prague Offensive, the last major battle of the Eastern Front, begins.

1997
The Bank of England is given independence from political control, the most significant change in the bank's 300-year history.

2001
During a trip to Syria, Pope John Paul II becomes the first pope to enter a mosque.