

CTG and EC issues call for dialogue

AHMED A. AZAD

ONCE again Bangladesh seems to be hurtling towards political instability and unnecessary confrontation aided by the prevalent culture of the tit-for-tat negative politics. The incumbent government was given the mandate to fulfil promises made in its election manifesto. It has made progress in some areas such as agriculture, education and control of terrorism.

The recently delivered budget shows that progress on many other election pledges remain behind schedule and if the government fails to deliver in time they will be punished by the electorate. But half way through the government's term of office, the opposition has taken the liberty to pass the verdict that the government has already failed and therefore must resign immediately and agree to a mid-term election, and if the government does not accede to their demand then they will wage a relentless movement to oust the government.

Recently they have added the retention of the caretaker government (CTG) system -- declared unconstitutional by the High Court -- to their list of demands and have enforced a hartal on this issue.

In any parliamentary democracy the opposition's task is to constantly interrogate the government within parliament and hold them to task, and it is the legal and moral obligation of elected MPs to voice the concerns of their electorate inside parliament. Except it appears that a habitual boycott of parliament and calling of hartals on the smallest pretext, by whoever happens to be in opposition, has sadly become a part of our political culture.

Bangladesh is currently facing acute shortage of electricity and gas, spiralling price of food, and traffic chaos in Dhaka and other major cities. Climate change has already started having devastating effects on the environment and economy and the situation will get worse with time.

These challenges require urgent and serious attention from the government, and the continuous interrogation by the opposition keeps them accountable. But instead of crossing swords with

the government in parliament on issues of national priority, the opposition is using every pretext to pick fights outside parliament to bring about a regime change where the government is unnecessarily providing them with more such opportunities and ammunition.

The sudden change of focus of the parliamentary constitution amendment committee from matters related to the restoration of the 1972 constitution to the abolition of the CTG system has provided an opportunity to the oppo-

AL opposition.

Ironically, it is now the AL government that wishes to abolish the CTG system and BNP is fighting tooth and nail to retain it.

Unfortunately, the opposition alliance is prepared to push the country to the brink to achieve its objective but is not prepared to put its case to the constitution amendment committee or debate it in parliament.

And why should it bother when the very same principles that strike at the heart of secularism and the spirit of the liberation

resort is a democratic right but violence against individuals to enforce hartals is a criminal offence. 14 - 15 buses were torched the night before the latest hartal. Should there not be a law that compels political parties that call these hartals to pay full cost of the damage caused by these activists?

Not only do these hartals have no public support but the public is totally fed up with the hardships caused and wishes that the political parties would shun the politics of negativity and violence, and instead engage in civil-

venting military takeovers in future.

But military dictators never seek permission to march in and the only insurance against any future unconstitutional takeover is a functional and effective democracy.

While AL and BNP-Jamaat camps face each other with daggers drawn on the future of the CTG, all is not lost if they really wish to reach a peaceful solution. The PM and the ruling party have taken the decision to abolish the CTG system on the basis of the 13th Amendment being declared unconstitutional by

could be retained for the next two elections if it is deemed necessary. If this observation is heeded by both political camps then it would allow time and opportunity to suitably modify the EC so that it is acceptable to all.

This could be the basis on which both parties could reach a compromise in national interest.

The PM has stated that the government is not rigid on its stand on the CTG question and has invited the opposition to re-join parliament and place their suggestions there. If the government were to agree that the next election could be held under a modified CTG, as observed in the HC verdict, then the opposition could be persuaded to join discussions on the composition of the next CTG and structure of the EC.

It would be unwise for the government not to make this concession and for the opposition to refuse this invitation. The current EC, which finishes its tenure next year, and as such has nothing personal to gain, has put forward a set of very sensible suggestions for strengthening the future EC and making it fully independent.

This is a golden opportunity for the government and the opposition to constructively discuss these suggestions and also agree on the composition of the next EC. Failure to sit together will only reinforce the perception that the major political parties are only interested in grabbing power and holding on to it.

The EC has already demonstrated that with the help of the photo ID cards, and the support and cooperation of the administration, it can successfully conduct fair elections under both CTG and political governments. The election process will be fairer and more transparent under a strengthened and independent EC formed through the direct involvement of both the government and opposition.

Can the political parties or the nation afford to pass up this once-in-a-life-time opportunity to establish a fair and transparent electoral process acceptable to all when the alternative is never ending chaos and political instability?

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the High Court.

The government has stated that a strengthened and independent EC can obviate the need for a CTG. The CTG model is indeed undemocratic and an indictment on the ability and integrity of our politicians.

There is no question that the CTG system must go but at the moment the EC is neither independent nor sufficiently empowered. Moreover, the opposition has reservations about the impartiality of the EC and does not believe that a fair election can be held by it under the present government.

So what is the way out of this?

In the decision to declare CTG unconstitutional, the HC also observed that in the interest of public safety the CTG system



sition, which has refused to join or cooperate with the parliamentary committee, to threaten a relentless movement to retain the CTG system.

The CTG issue is just one example of the convoluted nature and irony of Bangladeshi politics. The CTG system was first used as a temporary measure in 1990 to make the transition from a military dictatorship to a parliamentary form of government. The BNP government elected in 1991 initially jettisoned the CTG provision but was forced to re-introduce it in 1996 in the face of a relentless campaign for it by the

war, and which should automatically disappear with the judicial annulment of Amendments 5 and 7, have been retained in the constitution by the parliamentary committee without the BNP-Jamaat alliance having to lift a finger?

The opposition has claimed that the recent hartal against the move to abolish the CTG system was a resounding success and had the spontaneous support of the masses. But any call for hartal now can be enforced as fear of violence keeps shops closed and vehicles off the road.

Calling peaceful hartals as a last

ised debates.

When in power both political camps have identical positions on all the above matters but they are exactly the opposite of what they profess while in opposition. Such meeting of minds between political opponents would be wonderful except that both the AL and BNP can't be in government, or in opposition, at the same time, at least not in the present context.

Both the major political parties suffered at the hands of the unelected military-backed regime that took over on January 11, 2007, and both have strongly called for constitutional provisions for pre-

One step forward, one step back

JALAL ALAMGIR

THE High Court gave landmark verdicts. Politicians gave their speeches. Eminent experts were consulted. A parliamentary committee deliberated for ten months.

Never before have constitutional changes in Bangladesh occasioned such a thorough process of analysis. The process is an achievement for the Awami League (AL). Many, including Amartya Sen, have long argued that open deliberation is the heart of democracy--and that's exactly what has happened here.

Two crucial amendments are now on the horizon. One of them is brave and progressive. But the other is backward, and threatens to negate AL's achievement.

The brave decision is to abolish the caretaker system. The Prime Minister is right to insist that the system contradicts the Constitution's mandate to vest all powers in the people. The system was only partially successful before it descended into the disguised martial law of 2007-2008.

Like clockwork, we suffer from a political crisis every time a caretaker government is formed. No group of advisors has been without blemish.

Most of all, our democracy will never mature if it cannot take responsibility for its most basic function: holding elections. If an election is flawed, let it be the fault of an established political party rather than that of fly-by caretakers who have no permanent stake in the system.

So, abolishing the caretaker government makes sense. It's a bold decision, for it risks turbulence ahead. It's a brave one, for it gives AL the responsibility to deliver a credible election, organised by an independent Election Commission and with participation by the opposition.

But the decision to retain Islamism in the Constitution is a backward step.

Has Islam been under threat, such that it needs constitutional support? Muslims in Bangladesh have increased their share of the population from about 70 percent in the 1940s to 90 percent now. Islam has thrived uncontested.

And what religion can the state possess? Can the state perform prayers or fast during Ramadan? Will the state be held accountable on the Day of Judgment? It is not the state but the individual who believes and acts. The state is an artificial creation; it cannot have a religion.



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Assigning it one is meaningless.

Islamism in the Constitution contributes nothing of value to our political system. It does not strengthen democracy, political processes, or any of the fundamental principles enshrined in our Constitution.

The decision also contradicts AL's principles and the country's history of eman-

directed against an imposed state language. AL's 6 points program renounced most powers and symbols of the central state. In the seventies and eighties, AL itself fought against the cheap Islamist symbolism inserted by Generals Zia and Ershad. Why is the AL ready to jettison the fruits of its historic struggles?

Most non-partisan experts consulted by the parliamentary committee recommended against incorporating Islamism in the Constitution. To ignore their suggestion without a convincing counter-argument compromises the value of the deliberative process.

Some in AL might be betting that Islamism will increase the party's share of votes. I would not put money on that.

There are two ways that Islamism can increase AL's vote share. First, AL might think that Islamism would attract more everyday voters, who happen to be Muslim. But why is this urgent? There is no indication that Muslims are becoming less likely to vote for AL. AL won two-thirds majority in the parliament without having to use Islamism.

Second, AL might think that its Islamism will appease fundamentalists. Why is that urgent either? How many fundamentalist votes are out there? If we combine all supporters of all Islamist parties (and not every such supporter is a fundamentalist), we are still left with a tiny number, because in no election since 1991 have Islamist parties secured more than seven percent of the votes, jointly.

So, thumbs up to AL on its brave decision. But on the other, AL needs to reconsider and ask: Is it worth compromising the party's values and alienating its core supporters to obtain such a small reward?

[The views expressed are the author's own.]
The writer is a Visiting Scholar at the Institute of Governance Studies, Brac University.