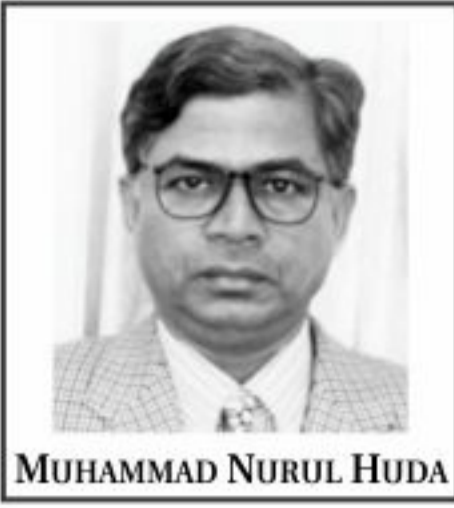


## STRAIGHT LINE

# Caretaker controversy



MUHAMMAD NURUL HUDA

**H**OWSO -EVER raging the debate may be, legally speaking, the concept of non-partisan and neutral caretaker dispensation as a constitutional contrivance to oversee national elections is a dead issue. The legal demise has, however, not deterred the current political opposition from registering their vehement protest against annulment of the unique constitutional arrangement. As of now, they have vowed not to enter into any meaningful political discourse with the establishment without a firm commitment to legally reinstate the non-partisan and neutral caretaker system to oversee the next general election.

Prime Minister Sheikh Hasina has said that unelected people will never be given the opportunity again to assume power and destroy democracy. The reference, understandably, is to the alleged misuse of the caretaker government system of the recent past. The PM's remark, apparently scathing, is, however, in line with the letter and spirit of the constitution of our republic wherein Article 11 states: "The republic shall be a democracy ..... and in which effective participation by the people through their elected representatives in administration at all levels shall be ensured."

No right-thinking person will take issue with the PM's remark despite the fact that the caretaker dispensation remains a contentious issue in our polity. One could ignore the admirers of the quick fixers of the unconstitutional variety; one could also take no note of those quarters who think that democracy has not found its feet here on account of the incapacity of the political caliber to match the service caliber as was fondly propounded in Pakistan days.

Nobody in his or her right frame of mind will cast any doubt on the PM's passion and concern for democracy. The national loss caused by the stragulation of democracy apart, her personal loss caused by the massacre of August 1975 was too monumental to bear. Since the unbearable tragedy has not deterred her from waging a relentless struggle for giving meaning

and substance to a democratic system, it may be time once again to ascertain as to why unelected people have often dominated the centre stage of our political landscape.

In most democracies the incumbent political government oversees the election after reducing its size to the bare minimum necessary for carrying out routine work. Constitutional bodies, the services and the regulatory institutions do their mandated job for the smooth conduct of the election. Everything runs as usual, as has been the case in the recently conducted general election in neighbouring West Bengal State of India.

In Bangladesh, however, owing to reasons that are well-known, we cannot put our faith in the normal

system, are allegedly giving way to cronyism and pliability. Favours are being given to so-called loyal and partisan officials who unlawfully please their superiors. In such a situation it is becoming increasingly difficult to keep faith in the impartiality and integrity of public servants who are crucial in ensuring fair election.

Insofar as the regulatory agencies are concerned, the allegation is that the interests of the state have often mixed up with the interests of the party in power. Consequently, all concerned are losing faith in the propriety of the actions of such bodies that play a vital role in the fair and orderly conduction of election.

The need, however, is to ensure that public servants are not preoccupied with inconsequential matters to the

at the altar of power game.

While the caretaker arrangement might be construed as a scathing indictment of the unreliability of the political class to fairly conduct national elections, it is also a fact that the determined movement for its restoration is displaying signs of desperation leading to an ominous future. In a situation where neither the people nor the country might figure as the first priority, our altruistic virtues would be open to question.

Morbidity and mordant behaviour will only paralyse the nation.

Therefore, our conscientious mandarins, of the present and the yester-years, howsoever small they may be in numbers, in their responsibilities as appointed representatives of our society need to rise to the occasion and sustain our fledgling democracy.

Unabated institution-bashing over the years that involved serious denigration of service ethos has brought us to the present state of affairs where the people doubt the impartiality and neutrality of the public servants and politicians are deemed incapable of fairly effecting changes in the democratic transition. Societal guardians like the public service, judiciary and the Election Commission have not received the due honour and importance. Our present predicament has been caused by our servility and thus we would need men and women of substance and strong moral fiber to stall the slide downwards and keep hope alive.

We may benefit from the erudite observations of renowned political thinker, Dr. Mizanur Rahman Shelly who observes that "the four-decade long history in Bangladesh is replete with instances of reducing rather than building institutions. The root cause of this damaging process is deviation from and distortion of the original political culture of democracy. What is needed to rectify this undesirable situation is a thorough overhauling of the political culture in favour of true and unalloyed democracy. Democratic political parties practising democracy both within and outside can alone arrest degeneration of the splendid institutions Bangladesh inherited at its birth."

The writer is a columnist of The Daily Star.

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arrangement. The suspicion, therefore, is, have those institutions that ensure fair election been adversely incapacitated? If that be so, how did it happen? Additionally pertinent is the query as to whether the proposed strengthening of the Election Commission would guarantee fair election?

It is relevant to note that the civil service of the republic owes its loyalty to the government of the day, irrespective of political party, and it is imperative that the service avoids creating the impression of political bias. The civil servants are expected to conduct themselves in a manner that they deserve and retain the confidence of ministers and be able to establish the same relationship with those whom they may be required to serve in some future administration.

The above is the desirable course but the ground reality is the steady erosion of bureaucratic ethos and politicisation of the service. Professionalism, competence and honesty, the hallmarks of a hallowed

detriment of national interests. This is paramount because in our situation public leaders are publicly expressing doubts about the neutrality and integrity of vital organs of the state whose functions can neither be arrogated to others nor be privatised. Therefore, the fears about fair election need to be allayed.

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It would appear that the sad and painful happenings of the not-too-past are about to revisit us. Coercive show of strength will beget the same in future. In the opposition's threatened movement to dislodge an elected government, the people will suffer, industry, trade --national and international -- developmental process, banking and finance and the ordinary men are to pay costly prices

# China's pow-wow: Expect the unexpected

CHING CHEONG

**I**N less than three weeks' time, the Chinese Communist Party (CCP) will convene its 18th National Congress to announce a new generation of leaders to run the country for the next five years.

Yet, aside from future party secretary Xi Jinping and Premier Li Keqiang, whose positions have been secured, other Politburo Standing Committee (PSC) members -- the supreme ruling caucus -- are still unconfirmed up to today.

The positions of Xi and Li could be decided early on because they are the result of a tacit agreement on power-sharing between the princelings -- descendants of the revolutionary elders -- and the tuanpai, cadres from the Communist Youth League (CYL).

In China, the princelings and the CYL are the two major claimants to power. The former derived their legitimacy through blood links to the revolutionary elders while the latter's legitimacy comes from the party constitution designating the CYL as a breeding ground for future successors. After the 1989 Tiananmen incident and the fading out of the elders, a mechanism for these two groups to share power began to take shape.

Another thing which is pretty certain is that the future PSC will be downsized from nine to seven, a measure meant to demote the party's Political and Legal Committee (PLC), which controls the country's police and other security forces.

PSC member Zhou Yongkang, the current PLC head, is said to have colluded with disgraced Chongqing chief Bo Xilai to thwart the rise of Xi. This caused alarm in the top leadership.

As a precautionary bid, the top leadership decided to downsize the PSC so as to kick PLC members out of the PSC. Similarly, all provincial PLC members were excluded from the standing committees of the provincial party committees.

*The extended Politburo meeting will present the recommended name list to the November plenary session. If it gets the nod, it will be presented to the 18th Congress for formal adoption. Even at this final stage, changes are possible.*

Thus the remaining five seats in the future PSC will be intensely contested. After the Beidaihe summer retreat, which was held to discuss top personnel issues, at least three different versions of the leadership line-up have been floated, each representing the interests of different factions at the top. This reflects the intensity of horse-trading.

Another major issue would be whether President Hu Jintao can cling on to his Central Military Commission (CMC) post for two more years.

During the Beidaihe retreat, there was news that Hu would relinquish all his posts at the 18th Congress. Yet, late

last month, former Hong Kong chief executive Tung Chee Hwa said publicly that Hu would stay on as head of the CMC for a while. If this is the case, it suggests that Hu is still powerful enough to silence those who opposed his staying on.

Personnel issues aside, there is also the critical issue of whether the party's Constitution would be revised to raise the Scientific Development View (SDV), Mr Hu's political legacy,

to the level of "guiding principle." The current Constitution has already enshrined Mao Zedong's "thought," Deng Xiaoping's "theory" and Jiang Zemin's "three represents" as guiding principles. The princelings, as a group, are unwilling to accord the same status to Hu's SDV out of contempt for the CYL, their competitors for power.

Thus, up to now, the situation remains in flux.

Bao Tong, a former personal aide to disgraced party secretary Zhao Ziyang, told Hong Kong's Now TV that "last-minute changes are the rule rather than the exception," going by

past experience.

From past experience too, from now until November 8, the Congress' scheduled date, there are still several occasions for surprises.

Towards the end of this month, the Politburo will have to call an extended meeting to prepare for the Seventh Plenary Session of the CCP Central Committee, scheduled to be held on November 1. Between now and November, the PSC will conduct weekly meetings to work out a recommended name list. Last-minute horse-trading may take place in this period.

The extended Politburo meeting will then present the recommended name list to the November plenary session. If it gets the nod, it will be presented to the 18th Congress for formal adoption. Even at this final stage, changes are possible.

While the 18th Congress is in session, there is still the possibility of surprises. The best example is the so-called "special motion," put forward at the Party's 16th National Congress in 2002 by several military heads asking Jiang Zemin to stay for another two years as CMC head, even though he was to relinquish all posts that year. This caught everyone by surprise and his successor Hu had no choice but to concede.

Bearing this in mind, no one should rule out surprises.

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## We are at a loss for words

*Proctor's assault on student unacceptable*

**W**HATEVER may have been the circumstances surrounding incidents on Bangladesh Agricultural University campus on October 9, there is simply no way to excuse Proctor MA Salam's behaviour. Despite claims of self-defence, he was caught on camera delivering a punch no less to a female student. The incident will go down in the university's history as an embarrassment for the teachers' community. We are left horrified, more so since the gentleman in question continues to protest his innocence in the face of evidence to the contrary. Needless to say the uncivilised act has invited widespread condemnation of the teachers' community and beyond. It is true that the campus has seen agitation of a section of students protesting the university's decision to raise fees recently and expulsion of nine students for alleged bad behaviour - a decision that has been challenged in the High Court. And yes, there have been protests and sit-ins in front of administrative buildings. It the Proctor's job to diffuse the situation through negotiation, not inflame it by engaging in physical violence. It would seem that the violence that exists in our society has spread to infect those who are supposed to be the epitome of cultural values, norms and etiquette. It is little wonder that students in our country often betray their violent and irresponsible behaviour on and off campus. With teachers such as Professor Salam, how can we expect better behaviour from them?

In terms of investigating the issue, the Vice Chancellor has constituted a 3-member probe committee and has assured to mete out exemplary punishment to those responsible. It is imperative that a thorough investigation is done. We cannot stress enough on the committee coming to a decisive conclusion and that facts are brought to light. There is a culture of white-washing such occurrences but this must not happen, for it would shake public confidence in the institution which cannot be a good thing. Any assault is a punishable offence in the eyes of the law and that premise needs to be re-established so that we may be spared such humiliating episodes in the future.

## Pre-Eid ticketing anomalies

*A tale replayed without remedy*

**L**IKE on the eve of Eid-ul-Fitr, so also now with Eid-ul-Azha only a few days away, the availability and cost of tickets for road, river and train communication are running into all sorts of difficulties. For instance, at bus terminals passengers have to pay extra Tk 50 to Tk 150 beyond the standard fare. Different companies plying the same routes, the same distance and the same category of transports are charging fares at varying rates much to the annoyance of commuters. Such short changing of homebound passengers is rife in a situation of artificial scarcities created by unscrupulous operators in collusion with middlemen.

The bus operators claim they have increased fares at the instance of Bangladesh Bus-Truck Owners Association (BBTOA). Is the association the authorised agency to increase the rates unilaterally? Where is the transport ministry's role here to protect the interest of thousands of commuters? There hasn't been any fresh increase in the fuel prices necessitating any raise. This is brazenly taking advantage of Eid to fleece the passengers which is nothing short of extortion.

The BRTC and private transport operators are understandably running extra trips so that there should not be any problem with seats catering to the demands.

Just look at the sense of impunity palpable from the remark of a transport company operator who told our correspondent, 'why be enthusiastic about our small irregularities when ministers and other high government officials are indulging in massive corruption?'

This picture at the Kamalapur railway station and launch terminal is no different. Many of the queuing passengers, some since Tuesday, had to return home without a ticket in their first grueling attempt.

The Railway and the BIWTC authorities should at least measure up to last year's efficiency level. If the customers do not get the service they deserve during festivities what could they expect the year round? Lot of streamlining is

## THIS DAY IN HISTORY

October 20

**1935** The Long March ends.

**1947** United States of America and Pakistan establish diplomatic relations for the first time.

**1973** "Saturday Night Massacre": President Richard Nixon fires U.S. Attorney General Elliot Richardson and Deputy Attorney General William French Smith after they refuse to fire Watergate special prosecutor Archibald Cox, who is finally fired by Robert Bork.

**2011** The former leader of Libya, Muammar Gaddafi, and his son Mutassim Gaddafi are killed shortly after the Battle of Sirte while in the custody of NTC fighters.