

The Daily Star

FOUNDER EDITOR
LATE S. M. ALI

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A serious security lapse

Raises many questions

KILLING of Tarek in a shootout between Rab and some of the victim's alleged cohorts while he was being transferred from a hospital to Gulshan thana only exposes a serious security breach on the elite anti-crime force's part. This is totally unacceptable. The incident raises some obvious questions.

Why was Tarek, the prime suspect in the killing of Jubo League leader Milky, was being taken in haste to the police station at night? Why couldn't Rab wait until the next day? Why didn't Rab take extra-precautionary measures to protect Tarek, a vital source of motive and evidence behind Milky's killing?

Obviously, these killings within such a short span of time may have given rise to grave doubts in the public's mind about Rab's version of the circumstances of the shootout. Such suspicions and doubts have to be cleared without delay.

People are also dismayed that with their questionable backgrounds as reported in the media, those two dead persons held important portfolios in the ruling AL's youth front.

Seeing the gangland-style bloody feud that broke out over their rivalry for positions in the upcoming DCC polls, one gets the jitters. How many more such types of people are there in the Jubo League?

All these questions are crowding the people's mind at once. The government can't avoid answering those.

The law-enforcers must brook no further laxity in the investigation into the Milky murder. The sooner they are able to come up with the truth the better for their already compromised image.

Oil spill in Karnaphuli River

Urgently contain toxicity

THE spill over of about 100,000 litres of furnace oil into the Karnaphuli River on July 30 and subsequent lack of action are bound to play havoc with the aquatic life. We have learnt from railway sources that the service has had to carry eight tanks of oil to Dohazari power plant to deal with increased demand for electricity during the month of Ramadan. Though the accident happened last Tuesday, it appears that the railway authorities are more concerned with salvaging the derailed cars rather than arresting the spill that occurred at Boalkhali three days ago.

Needless to say, such a line of thinking is going to do little to contain the ecological disaster facing marine life in the river. While there is every possibility of destruction of zooplankton and phytoplankton that form the food chain of fish, the continued presence of such high volumes of oil in the water will spell disaster for fish stocks unless recovery efforts are undertaken immediately.

The obvious overloading of railway carriages coupled with lack of proper maintenance of railway tracks smacks of typical behaviour of state-owned services. That said, the idea of salvage operations taking precedence over what is bound to turn into a biodiversity calamity for fish stocks in Karnaphuli speaks volumes of ignorance and bureaucratic mindset of authorities. We strongly urge the Department of Environment and other concerned bodies to take steps to stop further damage to the river and prevent any further adverse effect on biodiversity in surrounding areas.

Elasticity of human condition

CROSS
TALK



MOHAMMAD
BADRUL AHSAN

TWO weeks ago when Great Britain was ecstatic over the arrival of the royal baby and rest of the world shared that jubilation, I was thinking of rubber. It loses entropy if expanded, and a retractive force sets in to prompt recovery. That's why rubber returns to its original shape when one lets go of it after stretching. The inordinate adulation for monarchy in this age of mass democracy proved the elasticity of human condition. However far it's pulled, it snaps right back to its basic instincts.

This time the loss of entropy lasted for months in the UK. The queen's subjects waited for the royal baby with bated breath. Souvenirs flooded stores and people went on a betting spree. Everything was connected to the unborn heir to the British throne.

Once the baby was born, shops and pubs celebrated. Televisions and newspapers across the world turned out in full force to report the news. Crowds cheered, cameras clicked, bands marched, landmarks illuminated, and artillery sounded gun salutes.

Such emotions only confirmed that humans are made of flesh and bones but their minds are rubbery. These minds expand and contract, explaining why history repeatedly repeats itself. Across the border in France, the 18th century philosopher Denis Diderot had proclaimed that man would never be free until the last king was strangled with the entrails of the last priest. Two centuries later an intense fever persists on the other side of the English Channel where people are ready to choke on their admiration for the royal family.

A good part of human history was the struggle to rescue ordinary people from the tyrannies of kings, queens and princes. It goes back to the days of tribal kings, who double-hatted as priests. Soon that changed and monarchs ruled by divine right, while sacral functions went to priests. Between mortar and pestle, the common people got crushed like chilies until most countries of the world abolished monarchy in the 20th century.

It didn't happen overnight though. First the Reformation cut out the middlemen and removed the clergy wedged between man and God. Then Renaissance made man the master of his destiny. The monarchs no longer impressed their subjects with their divinity, although in some countries kings are still worshipped as living Gods.

The United Kingdom is a curious mix. The government elected by the people runs policies in the name of the

queen. The monarch is the head of the state and she passes all Bills, declares wars, ennobles peers, and exercises the Royal prerogatives. In other words, the queen rules the kingdom through the same parliament, which is elected by her subjects.

In democracy, government rules in the name of people. Political scientists differentiate a republic and a democracy. In a republic the sovereignty lies in each individual person whereas in a democracy it lies in the group. But sovereignty lies in the monarch under the British system. Where does the individual stand in this scheme of things? He passes his power to his elected representative, who actually draws his authority from the queen. The individual is a travesty between Her Majesty and his modesty!

There's a growing campaign against monarchy in the countries where it still exists. Some European nations reduced royal remunerations; others are thinking. The king of Spain recently took a cut in his emoluments to commiserate with his subjects crushed by financial hardship. The British queen also saw her own majesty diminished.

She lost much of her symbolic roles. Filmgoers no longer stand up to ask God to save her. Banquets do not drink her royal toast any more. People tried in courts by Regina (Rex means king, Regina means queen) do not bother to know who Regina is. If one watches the daily British life in progress, one would like to believe that the real centre of power is not Buckingham Palace but Number 10 Downing Street.

The recent royal baby craze has been a paradigm shift. It showed how hollow humans cannot escape their obsession with glitter and glory. The closest the United States of America ever came to monarchy was when American Indian chiefs ruled their tribes. Then the Americans invented the Kennedys and JFK's Camelot to have a virtual taste of the real thing. In other republics people propped up charismatic leaders and ascribed kingly virtues on them.

It's said that the Brits love their monarch because she's an impartial institution and a symbol of unity. Other countries seeking that delicate balance should be worried. Democracy looked disturbingly diminished in the UK when people in their revelry defied the gravity of history. They subjected themselves to the subjecthood and rejoiced over that ignominy.

Dynasties elsewhere will be whetted in their ambitions. They'll capitalise on the knowledge that ultimately people are happy to be subservient.

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'I have serious doubt whether they have done it in good faith'

A.T.M. Shamsul Huda, former Chief Election Commissioner talked to A.B.M. Shamsud Doza of *The Daily Star* on Election Commission's revised proposal on the amendments to electoral laws.

THE Daily Star (TDS): What was the background of adopting Article 91 (E) in 2008?

A.T.M. Shamsul Huda (ASH): Article 91 (E) must be seen in the overall context of strengthening the Election Commission (EC). Prior to reforms in 2008, EC had been suffering from lack of adequate power to control and contain mischief mongering by delinquent candidates and political parties. Though there is a provision for appeal against rejection there is no provision for appeal against acceptance. Returning officers scrutinise the candidature of all candidates and then accept or reject nominations. We found that performance of the returning officers were not very satisfactory. There were many cases of manipulation and misuse of power. And EC did not have any instrument to rectify these wrongs. After the election, these officers go back to their departments. Only thing EC can do is to frame charge against them and send it to administrative departments. But they do not even let us know what action they take against those officers. That's why we changed the law and said we will hear appeal against rejection and we will also hear appeal against acceptance. We found the benefit of this Article in the 2008 election. Many nominations accepted by returning officers were rejected by EC after receiving complaint against them.

Secondly, during election time most of the control lies in the hand of returning officers. If there is any disturbance in any of the polling stations it is the returning officer who is supposed to take action. Unfortunately, the political parties, particularly ruling party, always put the blame on EC. But EC did not have sufficient wherewithal to contain these kind of irregularities by candidates. It is important for EC to have some kind of authority to control irregularities and in that spirit Article 91(E) provision was adopted.

We strengthened the EC with the power to cancel or postpone any election. We used this provision liberally in subsequent elections. When we found any irregularity, we could take immediate action. So, the argument that since returning officers are there why EC has to assume more power is very weak.

Interestingly enough, in 2000 there was an attempt to incorporate Article 91(E). It was almost incorporated but, at the last minute, this provision was dropped due to objection of the ruling party.

Again in 2008, when we proposed Article 91 (E) there was vehement opposition from the BNP. They set four conditions for participation in 2008 election. One of the conditions was scrapping the provision 91(E). But we stuck to our proposal and they finally acquiesced to our requirement.

We repeatedly assured political parties that there was no scope for arbitrary use of power. There has to be a written complaint that something is happening, either by a candidate or his agent, and then the Commission will conduct proper inquiry about that complaint and will take any decision only after that.

The present CEC is saying that this provision was not applied in 2008; it is only on paper. If there is a certain thing in the statute book and there is no use for it then why keep it? I consider this a lame argument.

It so happened that in the 2008 election there was no occasion to use it. However, we firmly believe that its presence worked as a deterrent for all the mischief mongers. They knew that there was an instrument in the hands of EC and if they tried to do anything illegal, EC might use it. That is a preventive measure. That is the beauty of this section. We do not need to use it at the slightest provoca-

tion. We will use it in extreme cases. When all other means fail, and the credibility of an election is at stake, we will take recourse to this provision. That is the spirit of Article 91(E).

Interestingly, now BNP is maintaining total silence about this issue. There is no demand from their side. I do not understand why EC is trying to drop Article 91(E). In 2008, Awami League also did not raise any objection against this provision.

This was a hard-earned gain for us. To convince all the political parties was so tough. But now EC is voluntarily giving away this achievement. This is simply crazy. I have serious doubts whether they have done it in good faith.

Article 91 (E) is a great hindrance for any political party that has a plan for large-scale rigging or fraud, because people will ask EC to use its authority which is gained through Article 91 (E). So they are trying to drop this proposal to make the EC a toothless tiger.

TDS: CEC has said that Article 91 (E) is in conflict with Article 19. What do you think?

ASH: I do not find any conflict between the provision 19 (E) and 19. The EC did not give any clear reason as to why it is conflicting. I think they confused Article 19 with Article 17. CEC said that if only one candidate was left in the field, asking him to wait for resubmission of nomination would increase his or her cost. At the nomination stage, no candidate is supposed to incur any expenditure because he is not authorised officially to start his campaign. Therefore, this question does not arise here.

Secondly, under the amended Representation of People Order (RPO), a candidate is not sure whether he will get party's nomination because it usually happens that several candidates from the same party submit nominations and finally the party selects one of them. So as long you do not get final approval how do you incur expenditure?

TDS: In your time you had drafted the proposal aiming to make it mandatory for the cabinet division, ministries of home, public administration affairs, and LGRD to consult with the EC before taking any decision related to elections during the parliamentary polls. But the current EC dropped this proposal when it sent back the amendment proposals to the law ministry last week. What would you say to that?

ASH: We asked four important ministries to inform us of their decisions that have direct bearing on election outcomes. For example if government wants to construct a road in a particular locality that has direct bearing on election performance of their candidates they have to consult with EC. In our time, when a candidate in Naryanganj planned to inaugurate a bridge and the concerned ministry gave him positive nod we had to stop him.

EC will also restrain government bodies from creating any hindrance for any candidate after his candidature is finalised. In the Gazipur City Corporation election what the National Board of Revenue did was illegal. Once candidature is finalised, the candidate is our property, you cannot disturb him at that stage with a claim that he did not submit statements to NBR and so on. They should have done this before the finalisation of his nomination or they have to wait until the end of election.



A.T.M. Shamsul Huda

What people think

Thursday: July 25, 2013

Do you think there is any necessity for the government to form a separate police wing to assist deputy commissioners in conducting mobile courts?

● Yes (68%)
● No (32%)

Friday: July 26, 2013

Do you think that the LGRD Minister Syed Ashraful Islam has the authority to say whether or not to deploy army for holding the next general elections?

● Yes (6%)
● No (94%)

Saturday: July 27, 2013

Do you think that the Bangladesh's latest diplomatic efforts will expedite Teesta water sharing agreement with India?

● Yes (15%)
● No (85%)

Sunday: July 28, 2013

Do you share the war crimes trial campaigners' concern that the execution of death penalties awarded to war criminals by the ICTs might not happen during the tenure of this government?

● Yes (76%)
● No (24%)

Monday: July 29, 2013

Do you agree with prime minister that the general election might not be held in the country even in 10 years if any unconstitutional government assumed power?

● Yes (21%)
● No (79%)

Tuesday: July 30, 2013

Do you agree with DCCI president Sabur Khan that the police department is responsible for the rise in highway extortion and it is impossible for any group to extort without shelter from the police?

● Yes (97%)
● No (3%)

Wednesday: July 31, 2013

Do you think that the current Election Commission will be able to hold the next parliamentary polls in a free and fair manner?

● Yes (18%)
● No (82%)

LETTERS

TO THE EDITOR
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Pernicious impacts of traffic jams

Traffic jam in Dhaka has gone beyond control. It seems that there is none to see this and take any effective measure. The suffering of the people becomes unbearable when they cannot reach their destinations in time. Sometimes the seriously ill patients cannot be taken to hospitals in time due to traffic jam.

Most of the drivers are careless about traffic rules. Even the traffic police often do not perform their duties right. The authorities concerned should take urgent steps to alleviate the sufferings of the city dwellers.

Md. Tareq Jahangir (Tareq)
Asst. Manager
Confidence Group

Bangabandhu and Zia

Since the restoration of democracy in 1990, the two major political parties have been continuously disregarding the two most influential leaders of Bangladesh: Bangabandhu Sheikh Mujibur Rahman and former president General Ziaur Rahman. They should realise that both these leaders are extremely popular among different groups of people. Bangabandhu is remembered for being this nation's liberator, in other words the Father of the Nation. General Zia is known to be a valiant freedom fighter, the declarer of our independence, and most notably one of Bangladesh's finest administrators. It would be wise for the politicians not to undermine these leaders.

Mir Aftabuddin Ahmed
On e-mail

Book on SAARC agricultural statistics

SAARC Agriculture Center situated at BARC Complex, Farmgate, Dhaka has recently published an important book titled "Statistical Data Book for Agricultural Research and Development in SAARC Countries 2012." Accurate agricultural data is very much important for a sound agricultural development planning. The book contains up-to-date statistical information of SAARC countries on crop, livestock, fishery and forestry. The book will help agricultural researchers and development workers to have a clear picture of agricultural statistics.

The SAARC Agriculture Center deserves appreciation for the effort for bringing out important and useful publications on various aspects of agriculture in SAARC countries.

Professor M Zahidul Haque
Dean, Faculty of Agriculture
SAU, Dhaka

Comments on commentary, "The sons are coming?" published on July 30, 2013

Ahmed Zakaria

Alas! We are doomed and our future seems bleak. Now the poor Bangladeshis have to wait for decades until the current 'prodigal' sons are ready to retire and replaced by their children. There is simply no escape.

S.M. Iftekhar Ahmed

It's amazing how politics in Bangladesh has become a playground for family members of certain political parties. Let us hope that the new generation of voters comes out of this vicious circle.

Mofi

I wish I could breathe at least once in a Bangladesh with no prince and princess around!

Nasim Hasan

We remember the election of 2001. AL was overly confident about their victory and the result was devastating. Ironically, we are observing the same attitude now. No one takes lessons from history.

WD

Both Tareque and Joy act like it is their birth right to be in power. Can't we have any decent politicians?

deep purple blue

Tareq Zia has not yet apologised for his past errors nor did he assure us that he would mend his ways in the future. Indeed we must be aware!

Niloufar Sarker

How unfortunate for us that we have to choose between the devil and the deep sea and may even end up from fry pan to fire.

Fazlul Bari

Bangalees should rid Bangladesh of these crown princes along with their mothers from Bangladesh politics. There must be some other way to find new decent political leaders who can show their ability without the guidance from their moms to lead this poor country towards prosperity.

Triple Ace

The most important question is: when will Bangladesh be free from this monotonous, yet toxic politics of the two parties? Bangladesh needs something new, a group of operators untainted by personal agendas and family interests.

deepjelejai

Until or unless we attain a significant literacy rate as well as a high moral value in the national politics, we have to accept those princes or princesses.

Khandker H. Ahmed

Very thoughtful and timely article. These 'sons' are not new in our subcontinent. It's our culture that we accept them so easily!