

Hasina-Khaleda dialogue

Must not be scuttled

WE notice with apprehension that there are efforts to wreck the chances of dialogue between Sheikh Hasina and Begum Zia, the possibility of which has appeared prospective after the telephone conversation between the two. Our fears stem from various comments emanating from different persons of both the parties which might put paid to the much anticipated talks between the two leaders.

In spite of everything that transpired between the two during the conversation we saw opening up of a window of opportunity. We noticed with satisfaction that none of the two had rejected the other's position outright. The PM invited Begum Zia for talks the next day and we wonder why that could not have been accepted then and there by the leader of the opposition without putting up the excuse of hartal which, we feel, lacked justification.

But be that as it may, the prospect of the two leaders meeting soon to thrash out the issue at hand is good. Given that, we find negative utterances about the dialogue coming from both sides unwarranted. This must stop. At this juncture, no one else but the two party secretaries, who are the designated link persons of the two parties, should comment on the matter. And since an invitation has already been made to the BNP, it should formally respond with specific dates. And that should take into account working out the preliminaries by Syed Ashraf and Mirza Fakhru before the two leaders meet. That, we feel, will put a stop to all kinds of unwarranted comments and speculations.

Journalists under threat

Does not augur well for the media

IT is regrettable that journalists have been made targets of attacks by political activists belonging to almost all the major political parties. The list includes journalists from several news agencies and newspapers, including *The Daily Star*. And in one case in Jahangir Nagar University, two journalists were chased by the police while they were performing their professional duty. The police, reportedly, threatened to shoot them if they did not leave the place. We have also noted with shock the targeted attacks on the media houses during the period of the recent hartal.

The sad truth is violence has come to be an integral element of hartals these days. However, it cannot be lost upon the political parties that journalists have a duty to perform and that is motivated by the need to provide timely, accurate and impartial information to the people. And in most cases the journalists put their lives and limbs at great risk while covering a conflict situation to perform their tasks well. And they can do well without being further targeted by the activists of the political parties and the law enforcing agencies.

While we condemn such attacks in the strongest possible terms, we would like to restate that notwithstanding the hostile environment they face, the journalists will continue to fulfill their responsibility to the people undaunted. However, we urge all concerned to realise that an unfettered press working in a safe environment only can ensure an unencumbered democracy.

Leave it to the leader!

GOPAL SENGUPTA

THOSE who claim to have secured the constitutional mandate to speak for the masses do not have a voice, and those who have the voice do not have the mandate in Bangladesh. The governing process gets reduced to attending only to the anxieties, fears, demands, and aspirations of the upper segment of society, while the denials and deprivations of the majority go unvoiced and unreported. The major political parties have lost their voice on two counts.

First, political success or failure has come to be defined in terms of winning or losing in an election or by-election. Given the additional burden of coalition arrangements, in which every ally and every supporting party has a functional veto, there is a built-in accent on muting the voice, on finding the middle ground, and on diluting policy objectives. The advantage in this situation lies with those who have the resources to defend their vested interests because political parties and leaders are forever afraid of offending someone or the other.

The second reason why the political parties are losing their voice is that most of them have become leader-centric. This excessive emphasis on a leader's decisions means that a political party's rank and file is systematically discouraged from getting vocal about issues and ideology. *Leave-it-to-the-leader* becomes the common advice. The leadership-centric structures encourage a personality cult leaving the party functionaries and cadres with little choice in the matter of a collective agenda.

This would have been an organisational asset, but the leader-knows-best impulse, in turn, somehow tends to make the leader a timid commander. Because, the very idea of challenging or questioning the leader is discouraged; the leader, in turn, feels the need to appease everyone, all in the name of carrying everyone along. The ruling party or the opposition leadership, for instance, is invariably giving in to the most partisan among its internal voices, without any regard for consistency or common sense.

Unless the political leaders find the willingness and the imagination to reclaim their traditional role as moulders of collective ideals and aspirations, the polity will gradually be taken over by anti-democratic voices and forces.

Criticism may not be agreeable, but it is necessary. It fulfils the same function as pain in the human body. It calls for attention to an unhealthy state of things. If politicians do not run away from danger but meet it promptly and bravely, they will be able to meet any challenge facing Bangladesh.

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The writer is an occasional contributor to *The Daily Star*.

Pre-election period: Who should run the show

M. SAKHAWAT HUSSAIN

THE political conundrum seems to be getting further complicated regarding the 90 days of pre-election period, which, as stipulated in Article 123(3) (a) of the Constitution, have come into effect with the 15th Amendment. The article, in so far as holding election to the parliament, reads, "in case of dissolution by reason of the expiration of its terms, within the period of ninety days preceding such dissolution". However the other option in the same Article 123(3) (b) comes in to play if parliament is dissolved under other circumstances as mentioned in other enabling clauses of the Constitution.

All said and done, the 9th Parliament would be ending its term on January 24, 2014 and would dissolve automatically after that time. Parliamentary elections, as per 123(3) (a), have to be completed within 90 days prior to the date of the dissolution of the parliament, and that is mandatory for the Election Commission (EC) under Article 119 (b). For that purpose the Constitution provides EC with the 90 days as mentioned. Even to facilitate EC's pre-election preparation or fixing date for polls or fixing date to notify the schedule of the election, Article 72(1) clearly states that 90 days period for election would remain out of the purview of Article 72(1) proviso where it is mentioned that there shall not be a gap between session to session of more than 60 days. The long and short of it is that as the pre-election period is specified, these 90 days pre-election period falls in the province of the EC, and the countdown has started from October 27, 2013 as the date of voting cannot cross January 24, 2014, which is fixed.

As per the constitutional provision of Article 119, EC is to take charge of the period as preparatory phase, and the government after the date mentioned is to assist the EC as per Article 126. But that is not the case at present. In that the government of the day is to be considered as interim government or by any term it may be known, though the Constitution is silent on this issue unlike the 14th Amendment, where the government, its formation and tasks were clearly specified.

In all fairness, the spirit of the Constitution demands that such a government's main function would be limited to providing necessary support to the EC to conduct a free, fair and credible election. In the same spirit and the authority vested upon the EC by the Constitution, the EC should seek all kinds of assistance to enable it to perform its Constitutional tasks, and the government is obligated under the Constitution to fulfill the requirement of the EC. The EC, during this time, is to ensure that the government provides all necessary assistance within the purview of the Constitution without any question.

Now the question that is being asked is whether the Constitution and the spirit of it are being followed as of now? Within the meaning of the letters of the Constitution it is evident that neither EC nor the govern-

ment is following what the Constitution requires. The EC is not seen taking charge as it is supposed to; rather it is in a mood to surrender its Constitutional obligations. It is seen even to be violating the existing code of conduct under the Representation of People's Order 1972, where the pre-election time is specified as 90 days. On the other hand, the Parliament and the government have already infringed on the domain of the EC. The Government is yet to take the character and role of an interim government as the PM had earlier declared, that October 24, 2013 would be the last date for 9th Parliament, a month earlier. At the same time she had also suggested that the character her government would transform into an interim government to provide all assistance to the EC as per Constitution.

The Parliament has extended its current session to the November 7 for no convincing reasons, which means that the EC cannot exercise its power or Constitutional obligations like notifying the schedule, before November 7, though it may want to do so. But it is highly unlikely that the commission would exercise its independence and



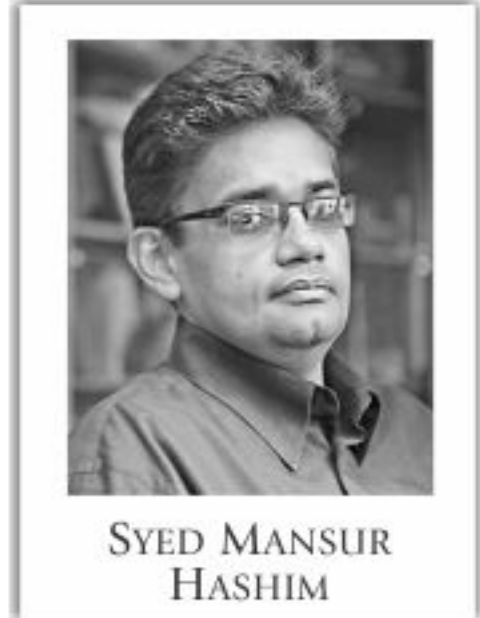
take charge as per the Constitution as very recently the CEC has said that he is not yet ready with the changed code of conduct pending political settlement. It is also reported that the commission is redefining the pre-election period arbitrarily. This is unacceptable and would be a violation of the Constitution which, it being a statutory body, it cannot do. The government's nonchalant attitude towards the issue defies the spirit of the Constitution. It seems that neither the government nor the political parties, including the opposition, is bothered to ensure that the provisions of the Constitution are upheld.

It would only be the EC that will have to stand in the dock for not adhering to the Constitution being the prime Constitutional body to ensure a credible election. Losing credibility the EC would not be able to ensure an election credible and acceptable to all. It is, therefore, time for the EC to act if it wants to avoid being blamed for violating the Constitution.

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E-cigarettes: A consumer led revolution



SYED MANSUR HASHIM

HAZARDS related to smoking are an established fact. Tobacco companies now print on packs messages like "smoking kills". In Thailand, a consumer buying a pack is confronted with horrible pictures of tobacco-induced problems people face. For years, institutions such as the World Health Organization (WHO) and governments have led campaigns to limit smoking. The results have been a mixed bag. Interestingly, an innovative product called the "e-cigarette" has emerged. Not out of the laboratories of pharmaceutical companies or the WHO, but by the private sector. They are branded as "very low risk alternatives to cigarettes, used by smokers as a pleasurable way of taking the relatively harmless recreational drug nicotine."

They come in various sizes and colours. The device is rechargeable and electronic in nature. These devices produce water vapour instead of smoke, generated by burning tobacco in traditional cigarettes.

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Vapour, that is nicotine-flavoured but without the side-effects that ordinary cigarettes have, primarily from carbon-monoxide produced by combustion and the tar. E-cigarettes produce a vapour that causes no "passive smoking" for others in the vicinity, i.e. the second-hand smoke emitted from a tobacco cigarette smoker, which invariably causes damage to health of other people nearby.

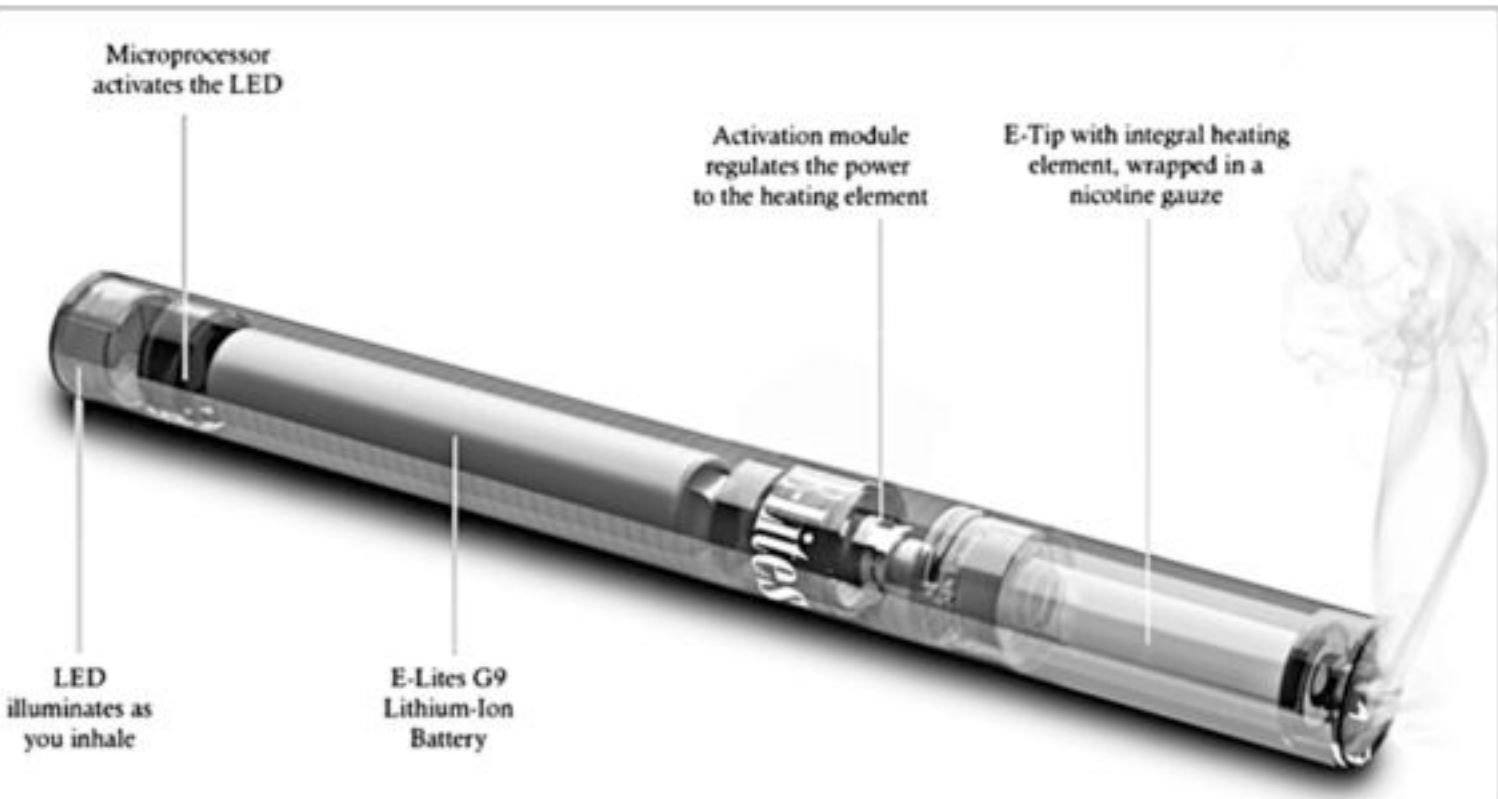
According to a study carried out jointly by Professor Gerry Stimmon, Professor at the London School of Hygiene and Tropical Medicine and Clive Bates, former director of UK-based Action on Smoking and Health in 2013, "the market in the UK is growing rapidly: there are around 1.3 million users and the growth rates exceeding 50% per annum. The uptake of electronic cigarettes has been a relatively quiet consumer led revolution. There has been no public health input or encouragement, and no spending of health service resources. The growth in popularity has come about mainly by word of mouth and internet advertising..."

There is a vibrant industry of perhaps 300 successful and emerging small and medium enterprises (SMEs) all over the UK either making and marketing products, or importing and reselling from manufacturers in the Far East. Larger players, including tobacco industry subsidiaries, are becoming involved and will bring technology, marketing and distribution reach. In the consumer base, there is a vibrant social media scene, on-line peer support and advice, and many passionate individuals prepared to give their time and advice to new users. There are poor products on the market, but they are being superseded by

superior products through the normal processes of consumer choice and supplier innovation interacting in a competitive market."

Given the rapid, yet hardly noticed rise of the e-cigarette, governments in developed countries are moving towards formulating a regulatory framework that would govern the production, quality standards and ultimately, sale of this new product. The bone of contention between regulators and enthusiasts is that European Parliament is set to brand the e-cigarette a medical product, which would mean doctors would have to prescribe the product as opposed to their being sold openly. Proponents for e-cigarettes argue that "vaping" is a lifestyle decision and not a cure for smoking and hence should not be branded as a medicine; regulators contend that branding the e-cigarette under a category would make it mandatory for manufacturers to adhere to safety clauses, which are at present missing.

It is estimated that there are, at present, 7 million e-cigarette users. Indeed across the Atlantic, the sale of "e-cigs" is set to treble in the United States. With such impressive sales figures, many analysts are already predicting that consumption of e-cigarettes could outstrip that of ordinary cigarettes in a decade.



The concern for proponents of e-cigarettes is spelt out well by *The Economist* magazine's coverage, when it states "Electric smokes compete with cigarettes yet do not in most places face the same restrictions, to say nothing of excise taxes. They compete with smoking-cessation products yet do not usually have to secure prior approval for products or make them to pharmaceutical standards. It they are required to do either, their price will rise, variety will fall and uptake by consumers, who are overwhelmingly smokers, will be cut."

Whatever may be the position of government health authorities and other agencies like WHO and US's Food and Drug Administration, the lure of e-cigarettes on consumers is not lost upon the international tobacco industry at large. As reported by *Economist* in its article 'Kodak moment', "Philip Morris International expects to market a device to heat rather than burn tobacco by 2017. Next-generation products at British American Tobacco include a nicotine-inhaler, for which it hopes to get regulatory approval in Britain. Whichever way consumers and regulators jump, the tobacco giants intend, unlike Kodak, to have a product to peddle."

Having a harmless alternative to the tobacco burning cigarette cannot be a bad thing for millions of smokers worldwide. Regulations are needed to control quality, but it is excessive regulations branding the e-cigarette as medicine would drive up costs that could kill the idea altogether.

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LETTERS TO THE EDITOR

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Garbage everywhere in city

Of late, our present government has been advertising their successes. However, they have failed miserably to maintain the cleanliness of the Dhaka city. The entire city has become a rubbish dump. Photographs of piled up waste dumps keep appearing in the newspapers but the DCC has turned a blind eye to the problem. The rubbish has actually started to occupy the road. When is the DCC going to wake up and actually start assuming their responsibilities? I also believe the decision to split the DCC was a bad idea and a total failure.

Aminur Rahim
New DOHS, Mohakhali

Politicians lack trust

The opposition leader has rejected the all-party poll-time government formula and the idea of the incumbent prime minister to be the head of the interim government.

What a shame that the politicians have lost all faith in themselves and in the election commission. The nation can not and should not expect anything from them any more. Let's search for democratic and patriotic leaders.

A well-wisher of Bangladesh
On e-mail

US detention centres in Afghanistan

With less than a year left in his final term, president Hamid Karzai insists that he is eager to leave the presidential palace and lead a quieter life. It turns out, though, he may just be moving next door; to a lavish new home yard from the complex that has been the seat of his power for more than a decade.

Now the U.S. is between a rock and a hard place. Let the Afghan drug lords and warlords, who are now provincial governors and even cabinet officials, keep dealing in drugs and getting away with all sorts of criminal activities -- kidnapping, rape, and murder. So the U.S. hasn't exactly been a virtuous liberator, because while it proclaims how it has installed a new, more democratic government in Afghanistan, what it has actually done is set the drug lords and warlords free to operate again, who control most of the country outside Kabul, the capital. The U.S. has also taken advantage of Afghanistan's lawlessness to convert its bases there into what one human rights advocate called "an enormous U.S. jail." They have several large jails and detention facilities there, and smaller ones at more than 20 compounds around the country, where they hold more than 1,500 prisoners -- Afghans and other nationalities. Nobody is really sure how many there are, because the U.S. military won't say. The U.S. uses the fact that they can do whatever they want in Afghanistan to build all sorts of secret prisons there, because they have so many secret prisoners now, what the U.S. military calls "ghost detainees."

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Comments on news analysis, "Why hartal not withdrawn?" published on October 27, 2013

Mahboob Hossain

Continuation of hartal will be a blunder and this single wrong decision may be the reason for BNP's defeat in the next general election.

Spiderman

Between these two main political parties there is little difference. Unfortunately, people of this country have to choose between the devil and the deep sea.

SM

It takes just an announcement to cancel hartal.

S. M. Iftekhar Ahmed

Thanks to its ineptness, the government was on shaky grounds. However, BNP is no better due to their past record of corruption and its proximity to extremist organisations like Jamaat-Shibir. Now that they have not withdrawn the shutdown, it might hurt them. Even if the polls are held under a neutral government, whom can the BNP blame if they still end up losing?

Alekanda

This is the time for us to pass a bill against hartal to save and protect ourselves from evil politicians.

Abbasuddin

The pre-planned anarchy by Jamaat-Shibir could not be completed if the hartals were withdrawn.

Khan

The sole responsibility lies on Hasina. What is wrong about establishing a caretaker government? It is very logical. Does she want to manipulate the election and keep things in her hand? If AL manipulates the election, it will be a start of new dark age in Bangladesh.

MistiKotha

BNP is making it difficult for AL to smuggle all the looted money perhaps!

Shahin Huq

The call came after so much dillydallying by PM Sheikh Hasina. Khaleda should be well-guarded and careful. She should not put herself in any trap. Sheikh Hasina should show more sincerity to convince the nation that she has really changed her attitude.