

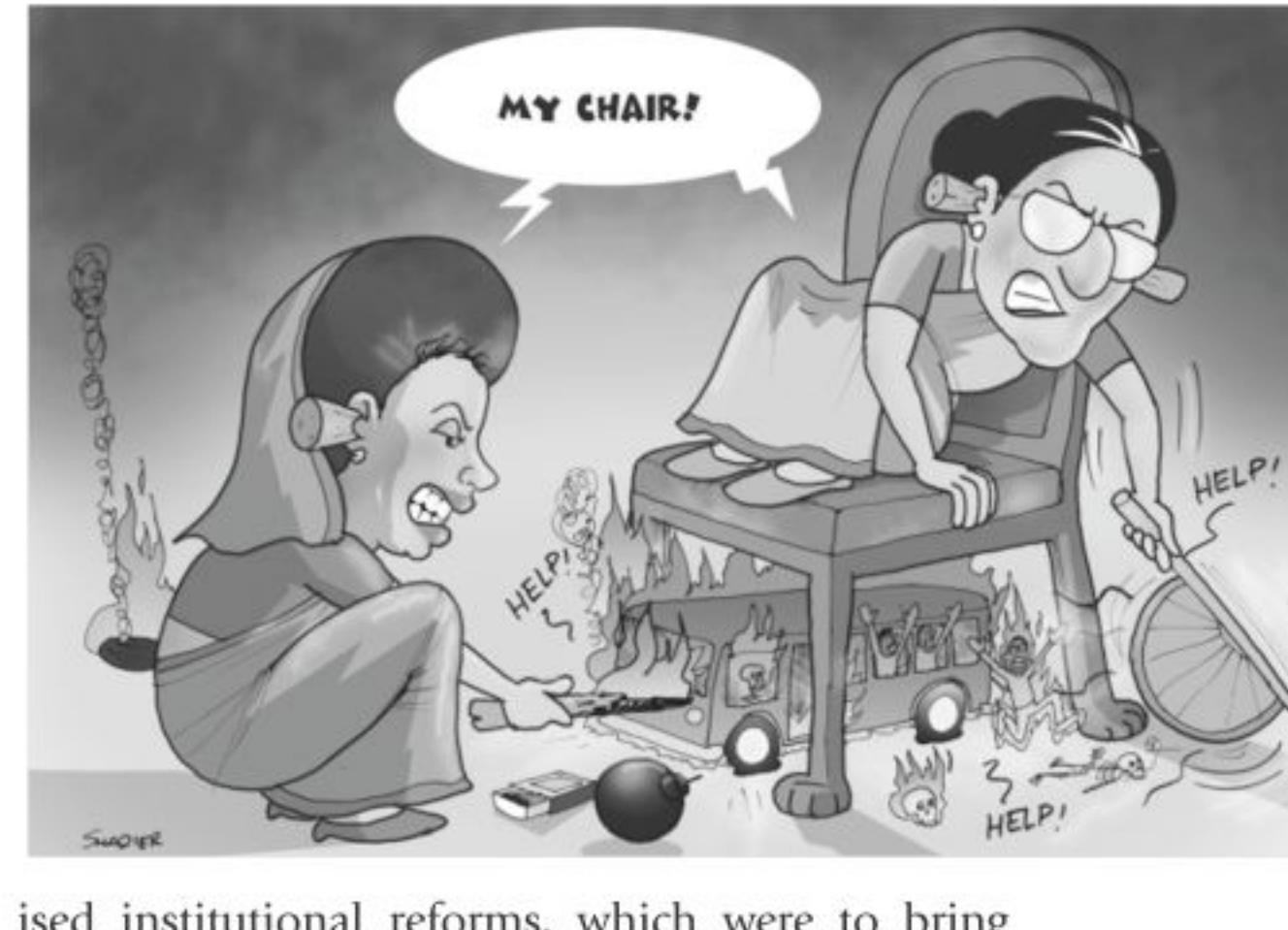
# Quest for a working democracy: Consensus on neutral election period government

DR. KAMAL HOSSAIN

PEOPLE have been yearning for a working democracy. Independence had promised that power would belong to the people and be exercised through an effective parliament composed of elected representatives. What was needed were political parties that drew strength from the grassroots. Without properly functioning political parties, democratic values and practices are banished from politics, and what you have is a façade of democracy, which masks autocratic modes of governance in the party, and in the state. This explains why, despite the revival of parliamentary democracy and four general elections (1991, 1996, 2001 and 2008), the hopes of the people for a working democracy remain unfulfilled.

It is the malfunctioning of the political parties, the lack of democratic governance within them as well as their manifest dependence on ever-increasing amounts of money that has generated sick politics, which resulted in governments in effect being that "of a ruling coterie, by a ruling coterie and for a ruling coterie." Political parties, instead of drawing strength from below, suffer from an extraordinary degree of centralisation of power at the top with absolute power being concentrated in a single party leader. The nomination process, instead of being based on genuine consultations with the local people, is now a favour bestowed from above, often reportedly purchased for substantial sums of money. A new political glossary reflects some of the disturbing symptoms of sick politics. "Manonoyanbanijjyo" (nomination trade) describes the sale and purchase of nominations. "Voterbihinnirbachon" (voterless election) describes over-filled ballot boxes, even where voters are absent or prevented from voting by force or threats, and "media coup" which describes fictitious results being broadcast over the media.

Elections have been vulnerable to the 3Ms: money, muscle and misuse of power. Over the years the cost of elections has mounted exponentially, the legally prescribed limit of Tk.0.5 million (Tk.5 lakhs), which was all along violated with impunity, was enhanced recently to Tk.2.5 million (Tk.25 lakhs). It is taken for granted that absolute immunity would continue to be assured, since no capacity to monitor or enforce this limit exists. The corrosive effect of the injection of vast sums of black money into the electoral process is that it denies the voters the opportunity to vote for honest and competent candidates. Successive changes of governments have taken place over a period of twenty years by one "big" party replacing the other "big" party. At the end of the period, people lament that little has changed for the better but there have been great leaps backwards. Instead of the prom-



ised institutional reforms, which were to bring about change, the word "reform" is shunned and "reformers" are derided and demoted.

The malaise of political partisanship has grown alarmingly so that a multiparty system has been deprived of the critical need of the neutrality needed for the proper functioning of such key institutions as an independent election commission, an independent judiciary, effective anti-corruption commission as well as the rule of law and the public administration and police. Partisanship (doliokoron) has resulted in preference being given in appointments and promotions to party loyalists over other more meritorious candidates. The public service commission itself intended to secure public service has tended to be entrusted to such loyalists. This has resulted in the erosion of the rule of law and impartial dispensation of justice. Non-prosecution of those responsible for acts of major corruption, including share market scam affecting tens of thousands and major bank frauds has damaged the financial system. Insecurity of person and property has been accentuated as effective enforcement cannot be expected where political interference with inquiries and investigations has been evident and wholesale impunity has been granted to party loyalists, even those convicted of serious crimes such as murder.

It is this banishment of neutrality from the multiparty system that lies at the root of the current impasse on the issue of the election period government. The experience of the 1986 election gave rise to the boycott a series of elections -- the presidential election following the 1986 parliamentary election and the 1988 parliamentary election. This led to the holding of the election in 1991 under an administration headed by the then Chief Justice. This departure from the constitutional provisions was ratified by the Eleventh amendment to the

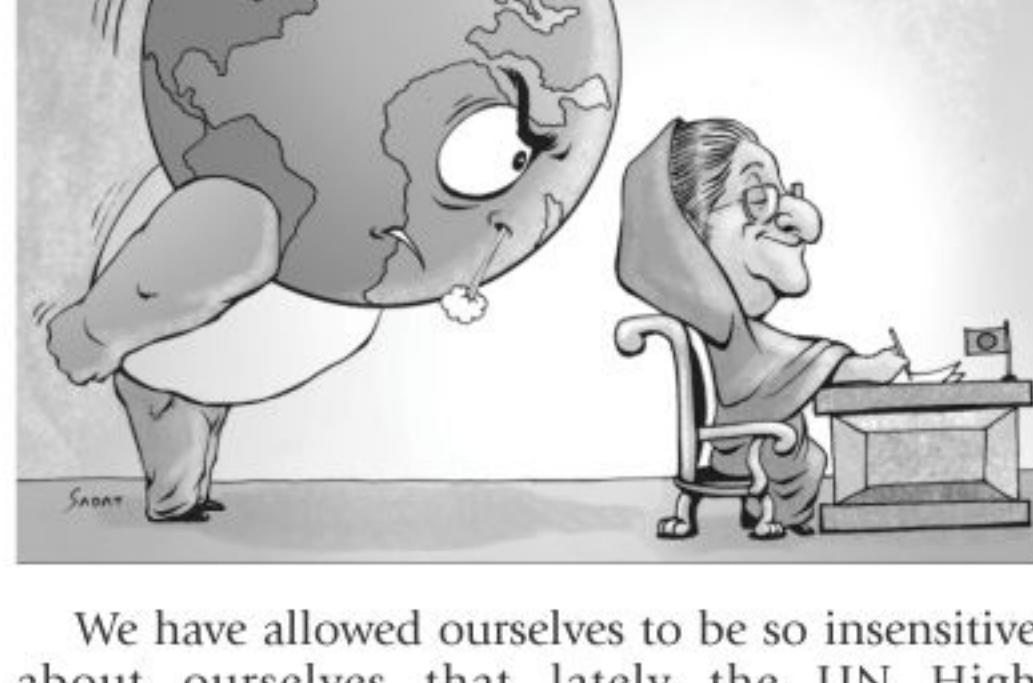
Constitution. Similar partisanship in the notorious by-election in Magura in 1994 was followed by a boycott of the 1996 general election held in February 1996, which led to the enactment of the Thirteenth Amendment which provided for a neutral non-partisan administration to be in place for the 90-day election period. Indeed in 2007, the election to be held in January 2007 was rejected by all the opposition parties on the ground that the head of the government could not be regarded as neutral. Thereafter, a non-partisan administration was formed and it, together with a re-constituted Election Commission, conducted the 2008 general election.

It is ironic and unfortunate that the government, having had the benefit of the general election of 2008, enacted the Fifteenth Amendment giving as the reason that the Supreme Court held the Thirteenth Amendment to be unconstitutional. It is ironic that this was done ignoring the unanimous recommendation on March 29, 2013 of the Special Parliamentary Committee on constitutional amendments headed by the Deputy Leader of Parliament that the caretaker government system should be retained. The Supreme Court judgment itself had declared the Thirteenth Amendment to be prospectively unconstitutional, but had clearly provided that elections to the Tenth Parliament (the one due in 2014) and the Eleventh parliament may be held under the Thirteenth amendment (which provided for neutral non-partisan administration during election period).

The crisis over the election period administration needs to be urgently resolved through a process of consultations among all concerned and meaningful negotiations between the government and the opposition parties in parliament. Enough lives have been lost and enough damage and destruction have been inflicted on the nation. Indeed the prime minister has full executive authority to agree to any arrangement, which reflects the general consensus that has been reflected in public opinion polls, which have consistently indicated that a one-sided election, not participated by all, would not be in the interest of the nation. We still have the opportunity not to push the country over the brink. Let the voices of our people be heard, and let the national interest prevail over narrow partisan concerns.

The writer is an eminent jurist and former foreign minister.

## Let self-respect propel us



We have allowed ourselves to be so insensitive about ourselves that lately the UN High Commissioner for Human Rights Navi Pillay has virtually reprimanded Bangladesh leadership saying: "In other situations, we have seen cases of political or election related violence where the perpetrators of such acts -- including political leadership -- have faced prosecution (under the Rome accord)." Although the statement is indirect, the human rights violation implication cannot be trifled with even introspectively.

The UN system as a whole under the leadership of Ban-ki Moon has spurred on some dynamism to disentangle the locked horns of the BNP and the AL. His special envoy Oscar Fernandez Taranco having made two visits to Dhaka on a persuasion mission earlier on is likely paying his third one as of now in an apparently last ditch attempt at bringing the parties together on to a convergence point. The development partners of Bangladesh are supportive of the UN mission.

At any rate, what is making rounds in the speculative realm is a reference to UN supervised elections in Nepal, Afghanistan, Iraq, Sudan and Timor. Taranco has in his team a representative from the Electoral Assistance Group (EAD), a specialised wing of the UNO, whatever meaning it may hold to the present context of Bangladesh! But

the thought of a UN supervised election should be an unqualified embarrassment to the whole spectrum of political leadership in Bangladesh.

The international diplomacy is up and about in addressing the volatility of Bangladesh's political situation. It is driven by a set of clear-cut transparent concerns and goals to facilitate a satisfactory outcome for the battle-weary nation. The first thing to realise is the wonder factor, which is to say that world powers are baffled as to why a problem so eminently solvable is being so stubbornly unresolved in Bangladesh. Compared with the intractable issues in various flashpoints in the world it is a puny issue.

There are weighty reasons for our development partners and bilateral friends why they are evincing a keen interest in Bangladesh's future. They genuinely want a stable and prosperous Bangladesh having a secure future. They have a concern over ideological extremism preying on the vulnerable segments of a Muslim majority country.

Then there are Bangladeshi Diasporas to care for as a complement to their economies. They have stakes in trade, investment, connectivity and geopolitics insofar as Bangladesh is a bridgehead between South and East Asia. It has a huge potential in maritime resources. With an untapped and untrained youth force Bangladesh is a demographic asset not just for itself but for its partners in the region and worldwide.

Bangladesh is a global player in textiles and has a reasonable share in the world market which can grow exponentially with some long stretches of political or systemic stabilities in place.

There is a constitutional avenue in a live parliament and an experienced political leadership which can draw on a track record of resolving political contentions at various turning points of our national history. If this is any new exigency we are facing then also it cannot be beyond the genius and capacity of Bangladesh to solve it creatively in the best national interest.

## The torrents

HUMOROUSLY

YOURS



NAVEED MAHBUB

**I**NTRODUCING *Harat* 2.0 - *The Oborodh*. For the uninitiated, here are the specifications:

1. *Harat* is where you cannot get out of the house. If you do, you will be attacked.

2. *Oborodh*

is where you can get out of the house (good news). If you do, you will still be attacked.

3. Both *harat* and *oborodh* come with firework, while the latter is a surprise party.

And so...

"Derail trains!" Orders derailed minds while locking horns with derailed minds. Trucks carrying perishable vegetables are torched. Buses carrying perishable people are torched. Critical reasoning states that people in this land are hence considered to be vegetables.

Yet, if there is a Resilience Olympics, these 'vegetables' are all Michael Phelps. The 'vegetables' are like torrent sites -- block them, and they will pop up somewhere else. Commuters still board buses, workers head towards their work places, kids attend schools on Fridays (thus accepting zero family time with parents), 30,000 throng at the Army Stadium to appreciate music, migrant workers camp out at the airport to keep the dollars flowing in.

So, bring it on. If it's a blockade, get with the times and go beyond roads, railways and waterways. Include radio waves, TV frequencies, cell phone bands, the internet, arteries, food canals, fallopian tubes, urinary tracts, colons, skin pores, the airports ... Gosh, I may have just given the idea to end up on the runways to stop planes...

Is that why the Civil Aviation Authority (CAA) performed an emergency drill at Dhaka Airport simulating the rescuing of passengers from a burning plane? Arsonists, this is NOT an example, ok? This is the ONLY time when we need to burn something to examine our standards. The CAA can

now perhaps help in saving passengers from burning buses, which, in case the arsonists are not aware of, don't come with ejection seats or IFF (Identify Friend or Foe, or should I say, Friend or Fire) transponders.

Meantime, the world makes its usual rounds.

Japan calls for an end to the political impasse. "Who, Japan?"

The UN warns: "Political leaders on both sides must halt their destructive brinkmanship, which is pushing Bangladesh dangerously close to a major crisis." I thought Bangladesh had already reached that point six months ago! Oh well, that's the speed at which the UN works.

The UN continues: "Leaders perpetrating political violence have faced prosecution." To which Bashar Al-Assad adds: "Do not believe everything you hear."

UN Assistant Secretary General for Political Affairs, Oscar Fernandez Taranco comes to Bangladesh. There may be an Oscar red carpet, but don't hold your breath for an Oscar Ceremony.

US Secretary of State John Kerry sends letters to the PM and the opposition leader. Smart move -- he decided not to call, recalling the red phone fiasco.

Nevertheless, there remains the usual insulation between the powerful and the general public -- an insulation so thick, that, if converted to thermal insulation, nobody would suffer from the winter. Never in the history of mankind has there been so many, working so hard, to accomplish so little. If their exercises are to lower expectations, then, guess what, the people are ahead of the game -- they have already lowered their expectations. Most have accepted this as their fate without much complain or have already lost the will to complain.

And thus the 'vegetables' chug along -- all proactive, not reactive. The underlying fact remains that politics and the true Bangladesh have never lived together. If anything had stopped because of the former, the latter would have been undone within 6 months of its birth in 1971 ...

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## "Egology" and the Sundarbans

QUAMRUL HAIDER

**A**CCORDING to the bigwigs of Bangladesh's power apparatus, the environmentalists are falsely propagating the pessimistic view that the Rampal Power Plant will wipeout the Sundarbans from the face of the Earth. They ridicule the environmentalists as tree-huggers who bemoan at every dead fly or crushed ant, while turning a blind eye to the energy crisis in the country. The bigwigs may be partly correct, but at the least, they cannot deny that once the power plant goes into operation, the future of the forest and its denizens won't look pretty. Because of their imprudent decision, the Sundarbans, a wonderfully diverse rainforest, the product of hundreds and thousands of years of evolution, will deteriorate to the extent that it could become a thing of the past.

The environmentalists and conscientious citizens are indignant at the willingness of the self-aggrandising power elites to sacrifice the Sundarbans to feed their egomaniac souls. They believe, and rightly so, that the economic benefits that will result from the construction of the power plant -- the prospects of which are in any case highly dubious -- cannot compensate for the long-term detrimental effects it will have on the local population and the environment. Furthermore, with an unflattering track record for corruption, one cannot dismiss people's perception that the decision to build the power plant is largely influenced by the financial interests of the unethical elites.

The cavalier attitude of the men and women in power is increasingly coming to resemble those of dictators whose authority must in no way be challenged. Scientists, individuals and groups who are opposed to the construction of the power plant are denounced and dumped on the refuse heap of history as "anti-liberation forces."

How can we justify a project that by nearly all projections looks suicidal? Do we

really believe that fulfillment of an immediate need is more important than upsetting the ecological balance to which our survival is tied? The answer lies not only in the endemic corruption pervasive at every facet of the Bangladeshi society; it also lies deep within our psyche -- our ego, the darker side of our personality.

We have this compulsive urge to nurture our ego and all its neurosis by considering ourselves as the most significant entity on Earth. Hence, we display an apparent lack of care for other species, the bio-system as a whole, and paradoxically, our own long-term welfare.

Our immediate personal gratification is perhaps more important to us than some "imaginary" adverse effects on the wilderness that may not happen in our lifetime. The pull of gratification and the feeling of absolute power are so strong that we deliberately overlook the fact that our actions, measured by any standard, are reprehensible.

To advance our agendas and political designs, we try to blind the people by presenting fallacies as truths and facts as fiction. We invent and give currency to neologisms that make irrational look rational. We use anthropocentrism as a tool to fool people and command loyalty from them. We create a false impression in their minds that our projects, albeit inimical to the environment, have been carefully thought out in every detail and are inspired by the spirit of the greatest responsibility!

At stake is the future of the Sundarbans. The power brokers of Bangladesh must understand the consequences of their manipulations and exercise restraint accordingly. Most importantly, they have to shake loose the human psychology that gives rise to their egoistic feeling of supremacy and power. By getting rid of their self-gratifying patterns of behaviour, they will rediscover respect for all forms of life on Earth. Otherwise, "egology" will triumph over ecology.

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