

Why AL may not sit soon for a dialogue

BOTTOM LINE



BARRISTER HARUN UR RASHID

PRIME Minister Sheikh Hasina repeatedly stated that there should not be a constitutional vacuum in the country for the sake of democracy and holding of January 5 election was a constitutional necessity. Whether other political parties participated in the election or not was their

choice, but election must be held. It has been an extraordinary election indeed that the people had witnessed. It is the most challenged election ever, and was held amidst mindless violence. Secondly the majority of voters did not cast their votes and as such 153 MPs were elected uncontested. Third, the election was held keeping the 9th Parliament in existence. Fourthly, several rebel AL candidates fought against the AL-nominated candidates and won as "independents." AL realises the weakness of its position because majority of voters could not exercise their constitutional right to vote for their candidates. It is reported that even the president, the prime minister and the chief election commissioner were not required to vote because their MPs won uncontested. Sheikh Hasina took oath as prime minister on January 12 for the third time. AL claims that it is the first time in the political history of Bangladesh that an elected government handed over power to another elected government. Now AL is in the driver's seat and has all the power to run the country. Whether it runs for five years or not will depend mainly on whether it can boost up the growth of

economic and commercial activities both in the country and outside. Analysts say BNP miscalculated the political situation. Each political scenario is different from that of the past and political flexibility is resorted to as a strategy to avoid being marginalised in the country. After all, the aim of BNP is to come to power and the plan of action needs to be tailored accordingly to achieve the goal. This is otherwise known as political convenience. Inflexibility in politics often does not work in changed situations. Two demands -- one by BNP and the other by Jamaat -- dominated the political scene in the country. BNP wanted poll-time caretaker government and amendment of the constitution to restore it, but AL rejected the demand. Jamaat demanded scrapping of the trial of their leaders who should be released on the ground that the trial was politically motivated. The aforesaid two issues were totally separate and consequently people's reaction had also been different. While it is reported that 77% agreed with the BNP stance on the restoration of the non-party caretaker poll-time government, by and large the people overwhelmingly supported the trial of Jamaat leaders charged with crimes against humanity in the 1971 Liberation War. Observers say that by supporting the Jamaat for *harkats* on the trial issue, BNP's own demand for the restoration of the caretaker government appeared to have got mixed up and lost its focus. The people were confused about what BNP actually wanted. Furthermore, BNP did not condemn the incidents of arson, throwing of petrol bombs on passengers of transports and derailment of trains, which resulted in loss of life and limbs. The ordinary people got fed up with the disruption of day-to-day life due to unprecedented violence and the popularity of BNP was reportedly severed damaged. BNP failed to mobilise people against the election. BNP recently realised the ground reality

that political movement cannot be carried forward through violent strategy, and it is reported that it has decided to contest the first phase of Upazilla elections to be held some time in mid-February. This was a sound decision, according to many analysts. The strategy of boycotting by BNP suited AL very well. Prime Minister Sheikh Hasina reportedly said on January 20 that BNP Chairperson Khaleda Zia had to pay for the mistake she made by boycotting the 10th national election. The prime minister reportedly stated that she was not currently thinking of the next parliamentary election and her government's priority has been set to resolve a number of national issues, such as restoration of law and order, reactivation of economic activities in full gear, and speedy implementation of infrastructural development programmes, including construction of Padma Bridge. To project a positive image of Bangladesh among foreign media and countries, a specific robust programme of action is being taken by the government. AL's attitude appears to be that whenever election is held, it must win and therefore is not in a hurry to sit for dialogue with BNP. The government believes that the implementation of these programmes, which may take at least two years, will generate contentment among people and AL could win the next election. The main challenge for the government is to win the confidence of the people, and AL believes strongly that it can do so with its development programmes coupled with running a clean administration. The Hasina government believes that under the overall improved conditions in the country, the Western governments will cooperate with the government, although occasionally they will call for another inclusive and credible election.

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To ban Jamaat or not

FARID HOSSAIN

FEW believe Islamic fundamentalist party Jamaat-e-Islami Bangladesh when it persistently denies that it has been involved in the recent spate of violence that saw Hindu women gang-raped, their houses torched and their properties looted or vandalised. The attacks on the Hindus soon after the January 5 parliamentary elections in the Jamaat-dominated districts, especially Sathkhira and Chapainawabganj, have been particularly harrowing. The attackers made little effort to hide their motive. "We are giving you a hard lesson for going to the polling stations to vote," the victims quoted some of the attackers as shouting as they swooped on the Hindu men, women and children before setting their homes ablaze.

Jamaat has a history of resorting to violence to eliminate the country's minority Hindus, Buddhists and Christians since the Pakistan days. Hindus, who account for about 10% of the country's 160 population, have been the Islamist party's prime targets. It has long considered Hindus as the most reliable vote bank for the largely secular Awami League, now the country's ruling party. Jamaat believes that it is because of the Hindu votes the Awami League has an edge over BNP, a trusted ally. The ethnic-cleansing type of violence against the Hindus has another motive. It's Jamaat's way of instigating a hostile sentiment in a section of the population who still wrongly blame India for many of the woes that afflict Bangladesh. Jamaat stands to gain heavily if it can do so.

Jamaat's bloody campaign against the Hindus and secular forces during Bangladesh's 1971 independence war is a strong enough proof of the party's deep hatred against the non-Muslim minorities. The Islamist party, led by Ghulam Azam in the then East Pakistan, had been the most trusted collaborator of the Pakistani army, which unleashed mass killings and atrocities leaving at least 3 million innocent civilians killed, 200,000 women raped and 10 million people fleeing to neighbouring India. Top leaders of Jamaat have now been put on trial on charge of crimes against humanity committed during the country's independence war.

Back in 1971, Jamaat killed and raped people in the name of saving Islam. Four decades later nothing has changed in the party's spirit and motivation. It abuses Islam, a religion of peace and democracy, to try to attract religious-minded people to its fold. In theory, it describes itself as a party of peace and communal harmony, but in practice it is an organisation that promotes terrorist activity and supports, openly or clandestinely, the elements which sow the seeds of animosity among the religious communities. In the open, Jamaat poses to be a moderate Islamic party. But in practice it funds and creates fanatic groups. Even terrorist groups such as Harkat-ul-Jihad-al-Islami (HUJI) are reportedly linked to Jamaat. HUJI has reportedly been involved in a number of terrorist attacks in Bangladesh, especially targeting Sheikh Hasina and secular forces. It has also been accused of being involved in some recent terrorist attacks across the border in India. HUJI draws funds and support from jihadists in Pakistan.

Jamaat has long patronised its ferocious student wing Shibir in violence against secular opponents in the universities, especially in Rajshahi University campus, known as its stronghold. Notwithstanding its claim of being a moderate Islamic party, at heart Jamaat remains a communal party that secretly promotes terrorist activities.

This true character of Jamaat has been exposed by the on-going war crimes trial of the party's top leaders, including its chief Motiur Rahman Nizami. Soon after the trial was ordered in 2010, armed cadres of Jamaat and Shibir began hit-and-run attacks on police. The tactics have aimed at harassing the law enforcement agencies and breaking their morale. It also has hijacked BNP's anti-government campaign thanks to the weakness of the leadership of the country's largest opposition party.

So, during the recent opposition campaign of *hartals* and *oborodhs*, it was Jamaat and Shibir activists who had been seen on the streets, though mostly in the hit-and-run attacks. The random use of petrol bombs that burned and killed many on board buses and trucks is blamed on Jamaat activists. Can Jamaat deny its involvement in the torching of nearly 500 educational institutions which were meant to be used as polling stations for the January 5 polls?

Jamaat, a party banned after Bangladesh's victory in the 1971 war, has come this long way not only because of its own merit. Patronisation by BNP and the anti-Awami League rightist forces, and support from outside the country, made it possible for the Islamist party to rise as the country's fourth largest political party.

Jamaat is disqualified from taking part in any election as it has lost its registration with the Election Commission as a political party because its avowed principles go against the country's constitution.

According to many people, the EC move has provided an opportunity to totally ban the party. They say Jamaat does not belong to Bangladesh and it has been a shame that it has existed and flourished, and was allowed a share in the 2001-2006 government of Khaleda Zia.

Today, Prime Minister Sheikh Hasina's government is under more pressure than ever to ban Jamaat, especially after the brutal attacks it unleashed on the Hindus.

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Parliament or Dolls' House?

SHAKHAWAT LITON

WHEN the 10th Parliament was constituted on January 9, the 9th Parliament was still alive and kicking with two more weeks of its life to go. But MPs elected in the January 5 polls did not have patience to allow it an uninterrupted exit. They took oath as MPs constituting the 10th Parliament. Assuming office, MPs belonging to the ruling Awami League at a meeting of ALPP elected Sheikh Hasina their parliamentary party leader, kicking off the process for terminating the life of the government made by the 9th Parliament. Hasina was sworn in as the new prime minister on January 12, beginning the journey of her new government.

This has become a unique case in the

future, wants to bring changes in any of the articles concerned for further advancement of citizens' fundamental rights, it will not be able to do so until or unless the ban is lifted. The underlying truth is that the amendments have curtailed people's power largely by restricting parliament's jurisdiction to bring changes in those 50 articles. Thus the constitution's 15th Amendment appears to be a curse of the brute majority enjoyed by the ruling AL in the last parliament. But none of the treasury bench MPs in the 9th Parliament spoke against such self-defeating amendments.

We may be unable now to exactly forecast whether the 10th Parliament will follow the path of its predecessors to bring more such amendment to the constitution to bulldoze people's power which is expressed in ballots to form the parliament. But there is a looming danger of it as the AL enjoys three-fourth majority in the 10th Parliament. The previous consequences of the brute majority frighten us.

Consider some of the amendments brought in the constitution by the House in the past. The 4th Amendment the then AL-led government brought in the constitution in 1975 had extended the tenure of the 1st Parliament by around two years. That had denied the people's constitutional right to exercise their franchise to elect MPs to form the parliament. The 4th Amendment also introduced one-party system -- Baksal -- discarding multi-party democracy. Through this amendment, the then regime switched over to the presidential form of government. The bloody changeover of August 15, 1975 made more grisly attacks on the people's power. The martial law regime, without any legal authority, forcibly dissolved the erstwhile parliament elected by the people in the first general election in 1973.

In the 2nd Parliament formed through the general election in 1979 during the martial law regime of General Ziaur Rahman, treasury bench MPs who were more than two-third majority were unable to act as per their oath of office to preserve, protect and defend the constitution. Rather, they voted for bringing the 5th Amendment to the constitution to give legal coverage of all illegal actions of the then martial law regime. After more than two decades, the Supreme Court declared the amendment unconstitutional and void as it destroyed the basic structure of the constitution.

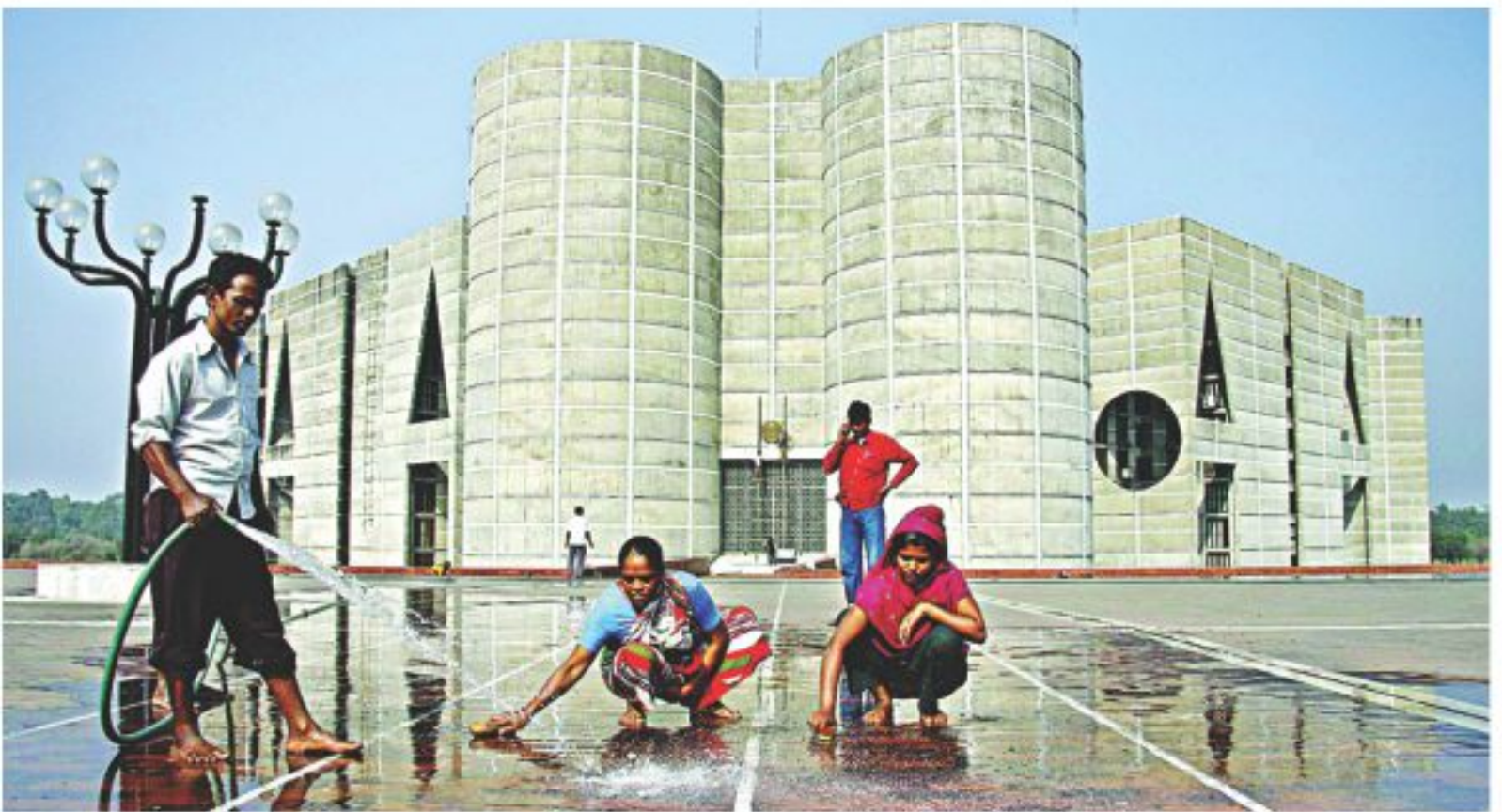
The 2nd Parliament, however, had to face attack by the martial law regime-led by General Ershad, who grabbed power in March 1982 by overthrowing President Sattar's government. The military ruler, without any legal authority, ended the life of the second parliament. Ershad, however, had to return to the parliament for legal cover of all his illegal actions. The 3rd Parliament formed in 1986 was used by the dictator to amend the constitution to legitimise all his actions, including grabbing power. Treasury bench MPs again remained silent and acted on desire of the martial law regime.

In November last year, treasury bench MPs of the 9th Parliament voted for passage of a bill amending the Anti-Corruption Commission law. A controversial provision was introduced to protect government officials from graft charges. The amendment has made it mandatory for the anti-graft body to take government permission to file cases against government officials on graft charges. But the ACC does not need to take permission from anybody to sue an MP on graft charge of. MPs, however, did not say anything against giving administrative protection only to government officials.

Over the years, the acute failure of MPs to perform their duties prevented them from being people's representatives in the real sense. On the contrary, having been elected as people's representatives they have acted against people's will in many cases. And their failures have made the executive branch of the government appear as an uncontrolled juggernaut diminishing the prospect of good governance.

The culture of handicapping MPs makes them like dolls. This reminds one of Henrik Ibsen's historic play "A Doll's House." Many say Ibsen was inspired by the belief that "a woman cannot be herself in modern society," since it is "an exclusively male society, with laws made by men and with prosecutors and judges who assess feminine conduct from a masculine standpoint." But famous British dramatist Michael Meyer argued that the theme of *A Doll's House* was not women's rights, but rather "the need of every individual to find out the kind of person he or she really is and to strive to become that person."

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history of parliamentary democracy. But none of the MPs elected in the 10th Parliamentary election spoke of the unusualness of the event. This exposed the legacy of anarchism in the country's parliamentary history. And in a clear manifestation of confrontational culture in politics, the 10th Parliament apparently punished its predecessor by starting its functioning keeping the 9th Parliament alive. Why did the new parliament take this action? There are some reasons behind it. The 9th Parliament committed a grievous error by curtailing the powers of the 10th and the future parliaments by imposing a ban on amendment to more than 50 articles of the constitution. It did it through the 15th Amendment in June 2011. Consequences of this are immense. It means that if parliament, at present or in

QUOTABLE Quote

Ignorance is the curse of God; knowledge is the wing wherewith we fly to heaven.

William Shakespeare

CROSSWORD by Thomas Joseph

ACROSS

- 1 Bath-day cake
- 5 Clip
- 9 Tadpole, e.g.
- 10 Let in or let on
- 12 Profit
- 13 Lasso user
- 14 Emit
- 16 Big galoot
- 17 Harbor boat
- 18 She loved Hamlet
- 20 Orates
- 22 Let off steam
- 23 Coffee bar order
- 25 Racket
- 28 Quiver contents
- 32 Gift for a prom date
- 34 Contrived
- 35 Gardner of "Mogambo"
- 36 Like a gala
- 38 Bank subtraction
- 40 Doctrine
- 41 Disparaging
- 42 Lewd looks
- 43 Wound reminder
- 44 Cuts off

DOWN

- 1 Be frugal
- 2 Carrot color
- 3 Gung-ho
- 4 Bad boxer
- 5 Singer Brooks
- 6 Brouhaha
- 7 Stab
- 8 Cufflinks' kin
- 9 Survives
- 11 Pay for everyone
- 15 Draw attention away from
- 19 Continually
- 21 Some charity
- 24 Bridge support
- 25 A bunch
- 26 Witch groups
- 27 Middle East language
- 29 Voiced a view
- 30 Vacillates
- 31 Undoes a dele
- 33 Following
- 37 Prom attendee
- 39 Cider girl of song

Yesterday's answer

M	A	T	T	B	A	S	E		
A	C	H	E	S	I	R	O	N	S
S	T	E	A	K	T	I	N	G	E
T	O	T	I	T	S	A	S	I	N
S	U	R	G	E	R	Y	A	N	S
T	E	A	R	Y	K	N	E	E	
S	I	S	C	A	D				
R	A	P	T	P	E	E	L	S	
U	M	A	S	E	L	L	O	U	T
B	U	S	L	A	N	E	V	I	E
E	S	S	A	Y	B	E	E	T	S
S	E	E	I	N	S	T	R	U	T
D	R	N	O		E	S	P	Y	

CRYPTOQUOTE

TEFRKL DRKYKJSJ, VPZA NSPZMJ PKY MNS JMZSMXNSY EWM NPKY EG METSZPKXS. PTT MNS JNRKRRL LRGMJ MNPM APDS OSPXS EK SPZMN. - CRJNEO NSKZU CZEWLNPA ("MNS CRJNEO"J VRGS")

Yesterday's CRYPTOQUOTE:

Rudolph, with your nose so bright, won't you guide my sleigh tonight?
- Santa Claus ("Rudolph, the red-nosed reindeer")

BEETLE BAILEY

by Mort Walker

WHERE ARE YOU ALL GOING?
WE HEARD THERE'S A TOPLESS SERVER AT THE MESS HALL!

HENRY

by Don Trachte

HI, HENRY - YOU'RE GETTING TO BE A BIG BOY!
YOU'LL BE A MAN IN A FEW SHORT YEARS!