

# Which way to a sustainable solution?

BADIUL ALAM MAJUMDAR

THE voterless and non-competitive 'election' of January 5, 2014 had created an unusual and potentially unstable situation in the country. It is clear from the blockades, deaths and destruction of the past two weeks that the potential instability has already begun to turn into reality. Redressing this situation would obviously require holding a free, fair and competitive national election at the earliest. Otherwise we may head toward an uncertain future. However, a national election at this time, even a free and fair one, would not be enough for us. It is our considered opinion that in the present circumstance our political parties must immediately engage in dialogue and reach a consensus on certain important national issues.

We feel that there are three broad areas in which we need national consensus. Firstly, we need consensus on the election-time government, which could ensure that the next election is free, fair and competitive. Secondly, a consensus must be reached on the election-time arrangements which could make the coming election peaceful and acceptable. Thirdly, there must be a consensus on the bold actions and deep reforms that the next elected government must initiate to ensure a sustainable solution to our problems.

Although actions must be taken for the immediate implementation of the first two areas of consensus, we must wait for the implementation of the third until after the next election. We feel that this consensus building and signing of a 'National Charter' by the relevant stakeholders would not only help diffuse once for all the present crisis, but would also promote social harmony and institutionalise democracy in our country.

### Election-time government:

An election-time government is critically important for ensuring free, fair and competitive elections. Based on our past experiences, it can perhaps be safely said that because of the uncontrolled spread of 'partyarchy' in our state institutions, future elections will also be manipulated and rigged. Thus, to ensure fair and competitive elections in the future, there must be a consensus among all stakeholders regarding the election-time government.

The responsibility of such a government would be to ensure the next election within a given time period, say 90 days. However, according to our Constitution, the Election Commission (EC) is actually responsible for holding national elections. We cannot expect fair and neutral elections unless the election commissioners are competent and neutral. Thus, the election-time government should be entrusted with the responsibility of reconstituting the Commission with appropriate individuals. To this end, a law must be framed, as mandated by Article 118 of our Constitution. A revised version of the draft law left by the 'Huda Commission' may be used for this purpose. In making the appointment to the Commission, a Search Committee must be appointed, which would, through a transparent process, recommend the

names of individuals who would be appointed by the president.

To ensure free and fair elections, the Commission must perform certain important tasks. Creating a reliable electoral roll is one such task. In addition, the Commission must delimit the constituencies and oversee the election itself.

### Election-time arrangements:

Free, fair and acceptable elections will depend not only on the neutrality of the election-time government and the effectiveness of the EC, but also on the appropriateness of the legal framework. Thus, although the prevailing legal framework has many positive features, the relevant stakeholders must agree on certain reforms. For example, it would be desirable to include in the RPO the provisions of a 'no-vote' and the nomi-

which consensus must be reached include:

1. Completing the war crimes trial at the earliest possible time;
2. Making the Parliament an independent and effective institution to ensure transparency and accountability of the Executive. At the same time, a code of conduct must be framed for the MPs and a Privilege Act enacted, as mandated by our Constitution;
3. Reforming the political parties to make them democratic, transparent and accountable, and end 'partyarchy' in every sphere of our society. Political parties must agree to reform political financing and bring transparency and limits in election expenses. They must also commit to renounce violence, communalism, extremism and disassociate from any group promoting such

Human Rights Commission, Information Commission effective by reforming the law and appointing competent and neutral persons in these bodies;

6. Committing to carry out all-out effort to bring to justice the individuals known as corrupt and bring back black money accumulated abroad. A special tribunal, like the ICT, may be constituted to try and give exemplary punishment to such individuals;
7. Framing a Civic Service Act, modernising the Police Act and reforming the PSC to ensure the neutrality and professionalism of the bureaucracy and the law enforcement agencies. Rab must be relieved of its law enforcement roles and turned into a commando unit under the armed forces to face emergency situations;
8. Formulating a bold decentralisation programme and committing to spend at least 50% of the ADP through local government bodies. Political parties must agree to abide by the Constitution and the court judgments to prevent MPs from involving in local development and maintenance of public order, and to hold local body elections on time;
9. Forming a Special Committee to recommend amendments to the Constitution. Potential areas of constitutional reforms could include: bringing a balance between the powers of the president and the PM; instituting a term limit and preventing concentration of powers in one person; expanding the electoral college for electing the president; changing the electoral system; reserving one-third seats of Parliament and filling those through a rotational system; creating an upper house; bringing about changes in Article 70 and so on. The Committee recommendations may be adopted through a referendum;
10. Agreeing not to encroach in the freedom of the press or shrink the space for the operation of political parties and the civil society;
11. Committing to end the culture of unaccounted for disappearances and extra-judicial killings and ensuring basic human rights.
12. Agreeing to a new 'social contract' so that the poor get their due share in the national resources, and quality education and health services are ensured for them. Political parties must also agree to give appropriate attention to the issues of environmental sustainability and climate change, whose adverse effects fall disproportionately on the poor.

These proposals were presented and adopted at the Fifth National Convention of SHUJAN: Citizens for Good Governance, held on December 27, 2014. We hope our politicians will use these proposals as their preliminary agenda for the much-demanded dialogue and discussions. We further hope that they will come to a negotiated settlement of the issues and sign a National Charter, like the 'Joint Declaration' made by the three alliances of political parties in 1990, in order to avert the crisis that we may otherwise face. It is urgent that they show the values of multi-party democracy and work shoulder to shoulder to bring sustainable solutions to our problems.

The writer is Secretary, SHUJAN: Citizens for Good Governance.



nation of candidates based on the consent of the party members at the grassroots. There must also be serious efforts to contain election expenses. In addition, cleaning up of our electoral arena will require stricter disqualifications for candidates and serious scrutiny of the antecedents filed by them in the form of Affidavits.

### Post-election reforms:

Although a neutral government and an effective EC may be able to deliver a free and fair election, it will not solve the toxic political problem prevailing in Bangladesh. It will require a consensus on actions and reforms to be initiated by the newly elected government to address some of the fundamental issues confronting us as a nation. Such reforms could only lead to a sustainable solution.

The fundamental issues, broadly speaking, on

views. In addition, they must be committed to Bangladesh's independence and sovereignty. Political parties must agree to disband their affiliated and associated bodies, such as their teacher, student and labour wings;

4. Ensuring the independence of the Judiciary and enacting a law to govern the appointment of judges. An expert committee must be set up to assess the competence, effectiveness and neutrality of judges and take actions accordingly. The independence and neutrality of the lower judiciary must be ensured by true separation of the judiciary. At the same time, the political parties must commit to end the culture of filing frivolous cases against political opponents and withdraw cases based on political considerations;
5. Making the Anti-Corruption Commission,

We hope that the politicians will come to a negotiated settlement of the issues and sign a National Charter, like the 'Joint Declaration' made by the three alliances of political parties in 1990, in order to avert the crisis that we may otherwise face. It is urgent that they show the values of multi-party democracy and work shoulder to shoulder to bring sustainable solutions to our problems.

# I cry for you, Bangladesh



SHIFTING IMAGES

MILIA ALI

"SOMETHING is rotten in the state of Denmark," said Marcellus, a palace guard, in Shakespeare's *Hamlet*. Marcellus was referring to the decay and corruption that prevailed in the kingdom. One could rephrase the quote (with apologies to the bard) to say, "Something is rotten in the state" of everything in Bangladesh. A country that is being pushed toward anarchy and chaos by the partisan squabbles and mutual recriminations of shortsighted politicians.

Recently, when a member of the main opposition party (BNP) was shot and injured in a busy Dhaka street, the ruling Awami League and the BNP both embarked on a propaganda blame game. Preposterous theories floated around, creating the impression that the discernable facts were just the tip of an iceberg, masking murkier secrets. Everyone apparently knew how the attack occurred and who was covering up what -- everyone, except the police. To date, the offenders have not been apprehended, and probably the truth

will never surface.

What is distressing is that the pattern of unresolved criminality is incessantly repeated -- whether it's the Sagar-Runi murders or the brutal killings of seven people in Narayanganj. The public is subjected to the standard routine: a resolute statement by the government that the perpetrators of the crime will be tracked down and brought to justice followed by a protracted police investigation. The case is then shelved into oblivion. The government's tall promises of protecting the rights of the people are forgotten until the next crime occurs ... and it's déjà vu. Meanwhile, the rumour mills and the opposition work overtime weaving conspiracy theories and injecting a sense of hopelessness and cynicism amongst ordinary folks.

Regrettably, matters have come to a state when crimes committed in full public view have become part of a citizen's daily diet. Innocent men, women and children are burnt, hacked, and bombed in the presence of hundreds of witnesses and no one is held accountable. The BNP activists and supporters continue to execute their scorched-earth strategy of destroying public and private assets and endangering innocent lives to paralyse the country -- all in the pursuit of democracy (or so they claim). In response the ruling Awami League seems to have opted for a

path of revenge and violence -- outside the aegis of the law. Sadly, both sides summarily dismiss the numerous deaths of innocent citizens as "collateral damage." It's therefore not surprising that the common man has lost faith in a system where falsehood has acquired the gravitas of truth!

One expects the ruling party to address the ongoing mayhem since it is primarily responsible for protecting the rights and lives of citizens. However, by fighting back on the streets the government has undermined its moral authority to enforce the law. Further, the negative politics of "an eye for an eye" has hurled the ordinary masses into an orbit of scary uncertainty. The nation seems to be in a cul-de-sac, with no possibility of a peaceful compromise, since the Awami League and the BNP cannot find common ground even to start a dialogue.

But why? Why can't the adversaries unite in the pain of the blind mother who lost her only son to street violence? Or the two-year-old boy suffering burn wounds resulting from an arson attack on a bus? Why can't the leader of the BNP reflect on the suffering caused by her misguided politics? Why can't our prime minister understand that there is more to be gained in building a strong nation than in

building a strong party? And, more importantly, that the disempowerment of the common people may ultimately lead to the rise of anarchy.

Some of you may question my right to be critical about a country that I no longer reside in permanently. However, I derive my right from what Bangladesh gave me in my formative years -- the dreams I dreamt after the Liberation War, the eventful and illuminating years of my youth and the freedom I enjoyed as an adult. In many ways I also feel responsible, humbly recognising the fact that I gave so little in return for all that the country has given me.

Today, as I try to absorb and assimilate the culture of a new country, I constantly struggle with a bipolar identity. I may be separated from Bangladesh by an ocean and a continent, but it is embedded in my psyche and will always be my home. Since home is more a feeling rather than a material thing it's there with you at all times -- it's permanent and non-negotiable. As Robert Frost aptly noted: "Home is where when you go there, they have to take you in."

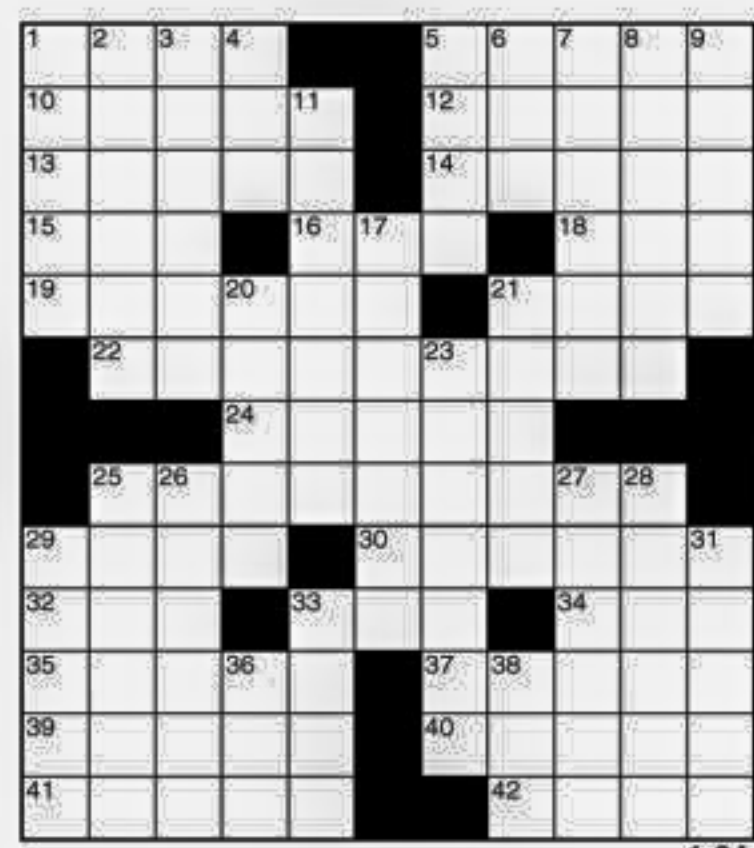
So how can I not bleed when Bangladesh bleeds?

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## CROSSWORD by Thomas Joseph

- ACROSS**
- 1 Ignored the limit
  - 5 Sweet treats
  - 10 Dugout, e.g.
  - 12 Rust, for one
  - 13 Broadway backer
  - 14 Pigeon perch
  - 15 King of France
  - 16 CEO's deg.
  - 18 Carpet feature
  - 19 Serenaded
  - 21 History class topics
  - 22 Signs of sorrow
  - 24 "Twilight" writer
  - 25 Diving descents
  - 29 Conks out
  - 30 Rehab target
  - 32 Sushi choice
  - 33 Put away
  - 34 Road sealer
  - 35 Diploma holders
  - 37 Hear again
  - 39 Carry on
  - 40 Company division
  - 41 Garden starters
  - 42 Take it easy

- DOWN**
- 1 Battle souvenirs
  - 2 Succeeded
  - 3 Car part
  - 4 Female rabbit
  - 5 Rum mixer
  - 6 Reduce drastically
  - 7 Abduct
  - 8 Whodunit awards
  - 9 Oozes
  - 11 Shade source
  - 17 Adipose tissue
  - 20 Toy store section
  - 21 Globe
  - 23 Book buyers
  - 25 Violent
  - 26 Interact
  - 27 Miniature
  - 28 Alarms
  - 29 "The Rehearsal" painter
  - 31 Secret meeting
  - 33 Pharaoh symbols
  - 36 Flop
  - 38 Corn unit



## Yesterday's answer

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

## CRYPTOQUOTE

UMNIOIFWD BNYDG GDRGD JX JFM HNGI, AMORUG HDNSD X JM IJWNP, IJWNP, NRW SMDNIDG N QODOJR XJM IJBJMMJZ. - BDKJWP ADNIOD

Yesterday's Cryptoquote: THE MOST IMPORTANT THING IS TO TRY AND INSPIRE PEOPLE SO THAT THEY CAN BE GREAT IN WHATEVER THEY WANT TO DO. - KOBE BRYANT

## BEETLE BAILEY



## by Mort Walker



## HENRY



## by Don Trachte



QUOTABLE Quote  
Courage is what it takes to stand up and speak; courage is also what it takes to sit down and listen.  
Winston Churchill