

Textbook fiasco

Deplorable systemic flaw

HARDLY had we finished complimenting the authorities for a job well-done in distributing timely new textbooks to the students when the gross errors in the content of some of them came as a rude shock. Does it need a committee to find out where the errors occurred? The burden of responsibility lies with the editorial board and editorial board alone, no matter how many scores of people were involved in bringing out the books.

The matter, we feel, is an entirely governance issue, the poor state of which culminated in the mess that has been created. The focus was entirely on meeting the deadline for distribution forsaking the most important issue of accuracy and content.

Merely saying that the mistakes would be rectified only accords levity to a serious issue that was handled with laxity in the first place. Remember, more than 360 million books have been distributed involving more than 40 million students.

There are, we feel, two distinct categories of errors: one, the typo or the physical errors while the other is the intellectual or the content. We wonder how the mistakes could escape the eyes of the bevy of erudite persons who made up the editorial board. We wonder too about the system of incorporating changes in the content, because some of the alterations are whimsical to put it mildly. And who, we wonder, gave the final go ahead for printing as is the normal procedure involving such huge volume of printing work. It is also appropriate to ask what role the ministry of education played in ensuring error-free textbooks.

We have once again displayed our callous attitude of waking up to a mistake only after it has been committed. Can we ever purge it from our character?

Solar power in the Sundarbans

Replicate the idea

FOR the children of villagers who call the Sundarbans home, electricity is but a dream.

Hence, schooling was a luxury for children of day labourers because these people are so poor that they can ill afford even the basics like healthcare. In such a setting, the Binapani Government Primary School located in Mongla's West Khejuria village set the stage whereby the children of poor families could carry light back to their homes for studies. This has been made possible by installing solar panels on the school's roofs and the power generated by these panels charge solar lamps that children carry back with them when they go home. Suddenly, there is light in these homesteads and these schoolchildren now have the opportunity to get an education that was merely a dream for their parents, and a chance to break out of the endless cycle of poverty that had dogged their parents' generation.

A number of environmental groups have come up with this innovative idea and this can successfully be replicated to reach tens of thousands of children who live in remote areas of the country, where grid based electricity is not available. Solar lamps have been around for a long time and now they are being put to essential use. Parents will be encouraged to enroll their children to schools as education opens doors to new opportunities, a basic fact that is not lost upon anyone. We welcome this innovative effort and hope that authorities will take notice of it and perhaps do trial runs in other parts of the country to bring a little light to brighten up the lives of children who live off the beaten path.

Review proposed citizenship law

NAJRUL KHASRU

ON February 1, 2016, the Cabinet of Bangladesh government approved its draft Citizenship Bill 2016, paving the way for it to go through the Parliamentary procedure at a suitable time. That procedure is yet to be initiated.

Bangladesh being a unitary state with a static homogeneous population, its citizenship legislation should not generate, in the normal course of events, much interest. Unlike countries such as the USA and Britain where nationality and citizenship issues generate voluminous case law every year, scarcely any such issues reaches the Supreme Court of Bangladesh (the last such case appears to be that of the case of Sadaqat Khan V Chief Election Commissioner (2008), where it was determined and confirmed that all members of the "Urdu-speaking people" of Bangladesh, who satisfied the existing legal framework for acquiring citizenship, were citizens of Bangladesh).

However, the content of this particular draft legislation has astounded a large number of people. There has been a growing level of anger and apprehension about the proposed law among Bangladeshis living abroad. The Urdu-speaking Bangladeshis are fearful of their fate if the proposed law comes into force. Concerns have also been aired by legal experts and human rights organisations in Bangladesh and abroad. It is likely that the United Nations High Commission for Refugees (UNHCR) is following the progress of the proposed law with a degree of trepidation.

To understand this level of disquiet nationally and globally, it is necessary to have an in-depth, objective and focused analysis of the salient points of a few provisions of the proposed law.

The draft law contains five chapters (it erroneously numbers the chapters as first, second, fourth, fifth and sixth), 28 sections and one schedule. The discussion in this article would be confined to just a few sections within chapters one and two of the draft, which primarily provide the definitions of terms used in the draft and deal with ways for acquiring citizenships of Bangladesh.

Section 4(1) defines citizenship by birth. However, section 4(2)(b) of the draft states that the children of enemy aliens would not be entitled to have citizenship of Bangladesh by birth regardless of whether they fulfil the criteria for such citizenship.

To identify those who would be affected by this, it is necessary to understand the definition of the term enemy alien. Section 2(7) of the draft defines enemy alien as a state which is or was engaged in a war with Bangladesh. This is totally unhelpful, as we know that a state cannot be a parent and even in the 21st century it still takes human beings to give birth to human beings!

Although the definition of enemy alien is very narrow in international law, reading between the lines, the policymakers of Bangladesh would probably define the term as follows: "Any person living in Bangladesh who supports or supported another state with which Bangladesh is or was at war." On that assumption it may be possible to infer who would be encompassed by this subsection.

Only occasion that Bangladesh had been at war with another country was in 1971, when it fought Pakistan and won its independence. It is well-known that a large part of the Urdu-speaking population, among others, actively supported the Pakistan Army during that war. These people could come under the above definition. However, it would not be the enemy aliens whose citizenship would be at risk (if they are Bangladeshi citizens) under the proposed law, it is their children who purport to lose their birth citizenship simply by virtue of being the children of enemy aliens, thereby becoming

stateless. Their number is estimated to be over 250,000.

To create statelessness arbitrarily through legislation is an extraordinary proposition. It defies logic and is against the principles of natural justice. It comes into sharp conflict with Article 15 of the Universal Declaration of Human Rights which provides: "Everyone has a right to nationality" and "No one shall be arbitrarily deprived of his nationality." It falls foul of UNHCR's declaration: "Statelessness is a profound violation of an individual's human rights." It also negates the UNHCR's aspiration to reduce statelessness to zero by 2024.

A well-established principle of rule of law is that a new legislation cannot have retrospective effect. However, this proposed law clearly shows retrospective intent. In an unprecedented move, Section 3 of the draft states that this Act would have priority over, among other things, any previous court decisions or decrees. A true interpretation of that may have the effect of nullifying the Sadaqat Khan decision stated above.

Section 5 of the draft defines citizenship by descent. This provides citizenship to children born outside of Bangladesh to a Bangladeshi parent or parents. These children would include those whose parents were

by descent to second and subsequent generations of Bangladeshis born abroad, and secondly, all other Bangladeshis who have acquired citizenships of another country would have similar restrictions as stated above on their Bangladeshi citizenships.

It is reliably estimated that 1.5 million Bangladeshis living in the UK, USA, Canada, Europe and Australia would be affected by these provisions. The purpose of creating a distance between them and the land of their origin by means of legislation is unfathomable. These are highly resourceful people, contributing over 4 billion dollars a year to Bangladesh's foreign exchange. Many of them are highly skilled, with expertise in diverse fields and are well-connected in powerful Western capitals. Properly utilised they could play a significant part in the government's aspirations to turn Bangladesh into a middle-income country.

A study conducted by *The Economist* in June 2015 found that countries all over the world are now recognising that their citizens abroad can benefit the country of their origin in multiple ways and for generations to come. Countries as diverse as Nigeria, Turkey and Vietnam are discovering ways of tapping into the expertise that their own citizens settled in the West



abroad during their births perhaps studying, working, getting medical treatment, or just travelling.

Interestingly, this would also include those who were born on the soil of India during the nine-month long liberation struggle as well as those Bangladeshis who were born in the territory of the then West Pakistan due to, perhaps, their parents working there, or being stranded after the Liberation War. Their number would probably be tens of thousands and the vast majority would have no other nationality. One would expect them to have all the rights enjoyed by all other citizens of Bangladesh. But by virtue of Sections 13 and 7(2) of the draft their rights would be severely restricted turning them virtually second class citizens in their own country. For example, they would not be eligible to stand for any local or national elections, would not be allowed to become a Supreme Court Judge or have any government employment, and would have no right to organise a political group. These restrictions are clearly inconsistent with the Constitution which provides that the State shall not discriminate against any citizens on grounds of place of birth only.

Draft Sections 5, 7, 8 and 13 combined, if implemented, would firstly deny the right of citizenship

possess. An increasing number of countries, in order to bring their resourceful expatriate communities closer to home, are now recognising that the diasporas are simply an extension of their population within their own territories. A significant number of countries have reserved seats in their Parliaments for their citizens living abroad. Against this world trend, Bangladesh's policymakers' decision to take a regressive step is bewildering.

The evidence that this draft legislation has not been properly thought through is pretty conclusive. Its various provisions would go against natural justice and the concept of the rule of law would be inconsistent with the Constitution, in breach of a number of international treaties and charters and against the country's economic and cultural interests. The implementation of such a law would bring the country's democratic credentials into disrepute. Bangladesh would lose its moral authority to be critical of nations such as Myanmar, where human rights violation has been institutionalised.

The argument for a thorough review of the draft legislation is compelling.

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The pitfalls of strongman populism



SERGEI GURIEV

Mouk's analysis of World Values Survey data shows that, in many Western countries, public confidence in democracy has been declining for quite some time.

What explains this trend? The political upheavals of 2016 suggest that many people are frustrated with democratic inaction. Slow income growth, unemployment, inequality, immigration, and terrorism are supposedly not being tackled decisively enough. Democratic countries' political establishments seem to be in a permanent state of torpor, fuelling voter demand for strong leaders who promise to smash through political gridlock and sweep away bureaucratic resistance to bold new policies.

These leaders – who assert that they alone can fix their countries' problems – are often sought, and found, in the corporate world. Many people regard a successful CEO as someone who can deliver on well-defined objectives, so they conclude that a businessman can solve social problems that a politician cannot.

But this view is misleading, because political leadership is fundamentally different from corporate leadership. In economists' parlance, it is the difference between general-equilibrium and partial-equilibrium analysis. Corporate leaders must deliver for their shareholders, and shouldn't bother themselves too much with what happens to the rest of society. If profit maximisation requires cutting costs and downsizing, the corporate

leader can eliminate jobs and issue severance payments to redundant workers. What happens to these workers next is a concern for somebody else – namely, the state – to address.

Political leaders, on the other hand, are bound by the principle of "one person, one vote," and have a responsibility to take care of both the haves and have-nots, the employed and the unemployed alike. A politician must ensure that unemployed workers have new opportunities, or risk losing their votes.

This is not to say that the CEO's job is

"Transition for All," the European Bank for Reconstruction and Development's latest Transition Report, the first years of market reforms hurt the vast majority of those countries' populations.

Interestingly, many of the people who supported these reforms also favoured "strong leaders." They argued that, because the reforms were unpopular, they needed to be imposed on the public, rather than being impeded by excessively democratic processes. Unfortunately, this argument backfired. While some strong leaders managed to implement reforms

the general-equilibrium implications for society.

If privatisation displaces too many workers without compensation, a majority of citizens could come to see it as illegitimate, potentially undermining their support for private ownership of productive property. This is exactly what has happened in more than a few post-communist countries, where privatisation has become a dirty word.

The damage caused by certain unpopular reforms lasted far longer than the reforms themselves. In many post-communist countries, the pain they caused created the political conditions for populist strongmen to take over. And when some of these new leaders reversed the reforms, they also removed institutional checks on their power, in order to make it harder to challenge their decisions. Once they consolidated their hold on power, they redistributed the country's wealth to their cronies. Not surprisingly, income inequality in many of these countries is worse today than it was when they abandoned privatisation and other reforms.

This is why democratic institutions are so important: They enable those who have been harmed by reforms to receive compensation. With "one person, one vote," the "losers" count as much as the "winners." Because truly democratic policies must be inclusive, implementing reforms in a democracy takes time and effort; but the painful process of building broad pro-reform coalitions also ensures that those policies will endure.

In the long run, inclusive reforms stick, and quick and dirty reforms do not. The tortoise of democracy beats the hare of benevolent dictatorship.

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easier; but it is certainly more clearly defined. Leaders who approach a political task with a corporate mindset are likely to focus more on efficiency than inclusion. But if their reforms ignore or alienate too many voters, they could be reversed.

As we saw in 2016, Western countries urgently need to find ways to compensate or assist those who have lost out in the current global economy. This is a painful lesson that post-communist countries learned during the 1990s. According to

quickly, the measures benefited only a minority of people, and many of them were eventually reversed.

A typical example is privatisation. State-owned enterprises are almost always inefficient, and often hoard labour. So, when they are privatised, they become more efficient, but they also shed workers. This is a positive development from a firm-level, partial-equilibrium perspective; but it may not be if one considers laid-off workers' wellbeing and

LETTERS TO THE EDITOR

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What is the actual rate of inflation?

For the last few days, print and electronic media have been busy with Bangladesh's inflation figure of about 6 percent for the year 2016, lowest in about 5 years or so. But I have never found our official inflation figure matching the inflation that I have experienced over the years. Recently, I dealt with the real inflation figures of cities, towns and rural areas as compared to the inflation data on the basis of national average.

In around 1970, the starting monthly salaries of 1st Class officers were Tk 500 plus 20 percent house rent allowance and 10 percent medical allowance. Now in 2016, the salaries of the same are perhaps about Tk 30,000, all inclusive, which is a rise of about 40 times from that of 1970.

Let us look at the prices of some staples now and then. Around 1970, quality rice was Tk 1 per kg and now it is Tk 60 per kg, indicating a rise of 60 times; beef was Tk 1.50 per kg and now it is Tk 500 per kg, a rise of around 350 times! Gold was Tk 250 per ounce while it is now Tk 50,000 per ounce, which points to a rise of about 200 times. The fact is that between 1970 and 2016, salaries have risen only by 40 times, and the costs of essentials have risen by 60 to 300 times.

This explains that the real inflation has always been more than what has been officially stated. Yet public servants and many others have been living more luxuriously than 40 years or so ago and one wonders, where the money to maintain their lifestyles comes from.

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