

Bureaucracy cannot yield to business



RUBANA HUQ

THREE hundred and sixty nine billion people, who constitute the poorest 50 percent own USD 426 billion. This amount is also what the richest eight people of the world have in their pockets. 'How is this inequality created?' is a critical question. Oxfam's research points to "aggressive wage restraint, tax dodging and the squeezing of producers by companies." "Who allows this inequality" is the question that needs to be answered next.

If one looks at the richest few even in our country, one knows it is not merely innovation and sheer entrepreneurship that creates wealth. Wealth, in many cases, is created by aligning with policymakers, by having the smoothest connections with the powerful and by creating, owning and robbing banks. This is a truth that many of us seldom dare to write. To put it simply, many truths are said in zest and remain as simple references. Few lurk around the corner and bug a handful. But, the most unconscionable truth stays indoors and suffers oblivion. Most of the time, we whisper and clear our conscience and then pull the carpet over our dust. If only the society dared a deep cleaning, we would, perhaps all, come out in bones, just because many of our flesh are borrowed from the people who have leased their lives to us. We are either grabbing their lands, or paying them less or letting them go hungry. Ironically, the world is all about inclusive growth, yet we reek of inequality.

The world is all about justice, yet the most unjust is sung the most. The world talks about women's rights, yet there are mothers setting fires on their own daughters in the name of honour killings in Pakistan. The current discourses all have binary opposing views. There's also no hope of resolution in sight. Most conflicts hang in paper thin edges and remain that way forever. The longer we play on discords, the more we gain by stretching the conflict. So no ceasefire ever works and no peace treaty ever ushers peace.

The recent labour unrest in Ashulia left me not wanting to write about it at all. After all, being a manufacturer, if I side with the manufacturers' perspective, I stand the risk of being castigated; if I side with the workers, I risk being called a "union" person; if I speak the truth, I stand to lose my business. I cannot, in clear conscience vouch that my workers and I have the same meal (capitalism is not about that); I cannot, in clear conscience, also defend the protests of the workers, as majority of the workers were not even aware of the range of the wage hike; and I cannot, in clear conscience, also defend customers who pay less and get away. Therefore, in most cases, we choose silence and side with none, including our own selves. In most cases, we avoid conflicts so that we can escape unhurt. But, ironically, in the process, most of us subconsciously opt for self-

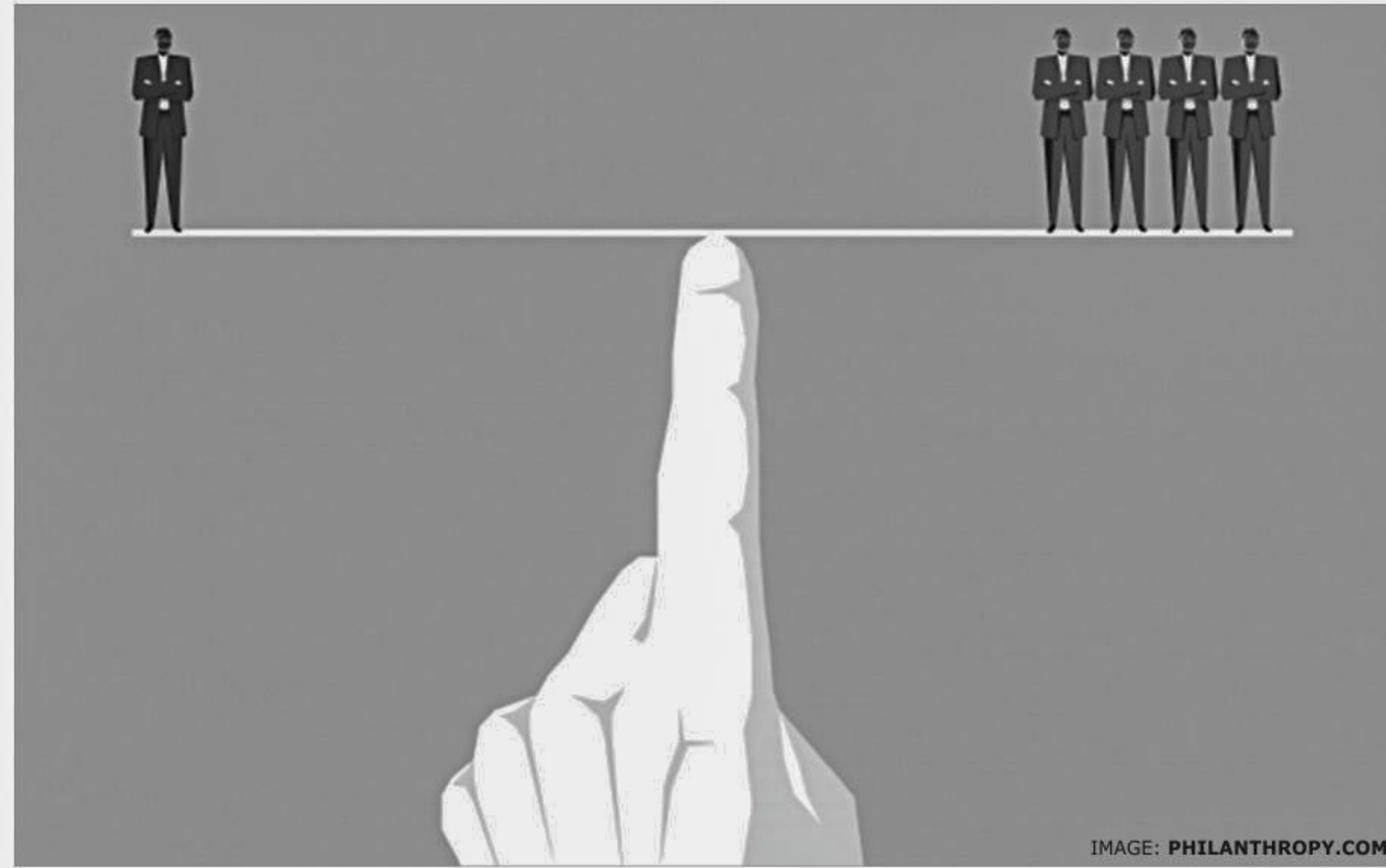


IMAGE: PHILANTHROPY.COM

annihilation. I add 'sub' and not 'un' before 'conscious' for a reason. In the strangest twist of destiny, very often, we end up punishing ourselves.

Let's try a few exercises today. What if we speak the truth? With 2017 sprinting the way it is, one might as well opt out of the 'hold, duck and crawl' policy and lay all bare.

Yes, the Narayananj verdict indeed pleased us all. That the men who protect us can also commit to violence and murder is a dangerous truth to digest. But the news of 25 members of the Rapid Action Battalion being sentenced speaks volumes of the judiciary, which led to many of us having slept in peace night before last. In general, the thought of the powerful, the mighty, the infallible invokes a sense of fear and alters our social behaviour. As a reference, watch any social occasion. The moment someone in power enters any room, any auditorium, any club, any gathering, the entire atmosphere changes. Many flock to take selfies with them (if lucky), many follow them around, and few actually 'can' attempt conversation. I write 'can' as most of the powerful people have an aura of uniqueness around them. Most of them wear halos of self-proclaimed success, disallowing access to the common, whereas many of their success stories have actually sprung from exploitation. Yet, surprisingly, the society continues to be in awe of them. They are conversation pieces in all our events. Their parties are the most attended with their lists of invitees mostly including the policymakers, senior bureaucrats and their own kin of businessmen who know no better. Tell me,

why would a judge or a senior government official ever attend a dinner hosted by a business house, risking to cross the line of conflict of interest? As public servants, can one wine and dine with business houses and then favour them while acting adversely to public interests?

Let's think about Samsung being prosecuted for having directed funds to the South Korean President Park's friend, Choi Soon-Sil in exchange of a controversial 2015 merger. Let's ponder on Prime Minister Justin Trudeau being questioned by Canada's Ethics Committee for having vacationed on an island in the Bahamas owned by the Aga Khan over the Christmas break. Think about Netanyahu's exquisite taste for cigars and his wife's for pink champagne being taken care of by the wealthy businessmen in Israel by currying favours in lieu of the benefits they reaped at the cost of national interest.

Thus, in the eyes of the State, no one is above the law. Hopefully global examples of punishing greed and hedonism of public servants will set the course right for us. In the process, while it requires a lot of courage and transparency for the establishment of an Ethics Committee to oversee and question both public and private individuals, and while it may quite rightly seem highly improbable for now, we must not lose faith. The journey has already begun. Recent examples of expulsion of lawmakers who break the law is commendable; punishment of rogues within the system in the most recent past, is assuring. The next step is to draw the line between the public and the private. Bureaucracy cannot yield to Business. That is playing foul in the truest sense of the word.

The writer is Managing Director, Mohammadi Group.

The seven murders

Address the underlying concern

ADMITTEDLY, there was a degree of uncertainty in the minds of many, though not openly articulated, that given the links of the masterminds and their calling, the sensational seven murder case may be stalled, if not scuttled entirely. The fears have been belied and we have the verdict, in good time, which we hope will assuage to some extent the wounded hearts of the victims' families.

However, while the legal process has taken its course and the guilty have got their due, there is an underlying issue that begs the question - which is, who will guard the guards themselves? To be exact, our concern is who monitors the law enforcing agencies down to the lowest level? The public deserves to know what internal mechanism the elite force employs to oversee the activities of its members and what actions have been taken so far, and against how many of its errant members.

And this very fundamental question stems from the involvement in the killings of mid ranking officers of a law enforcing agency which has structured hierarchy and well defined chain of command. It defies logic that, given the large number of accused belonging to one single unit of RAB, the culprits could plan and execute it, and such a plan was not conceived and executed in one day or week, without the higher authorities getting wind of the matter.

Indeed the gruesome killings may never have come to light, and the seven killed would have joined the long list of 'missing', had the bodies not floated up in the river. We are in no way painting the entire force with a broad brush, but as evident from this case, there are errant members who are prone to violating the system and willing to go to any length for any price. This is a wakeup call; the elite force should plug the loopholes in its oversight mechanism.

Retailers' worry over RMG unrest

Address the issue immediately

READYMADE garment (RMG) sector, the financial barometer of the country, has witnessed a slew of violent unrest at regular intervals in the last couple of years. This has understandably raised concern among the western buyers, a reflection of which we have seen in a letter recently sent to the Prime Minister. The missive rightly identifies the underlying causes that foment violence in the factories and suggests an array of long-term solutions, and we agree. Is it not better to address the legitimate demands and grievances of the RMG workers and solve through talks before the situation reaches a tipping point?

Labour unrest benefits no-one. It hampers growth in what happens to be the highest foreign exchange earner of the country, not to mention that the sector is the single largest of its kind to directly employ 4 million people. In this light, we urge all parties involved to chalk out their differences in an amicable manner and avoid future disruptions. The owners need to realise that ignoring the genuine grievances of the workers is untenable. Workers, on the other hand, must seek all avenues for a solution without resorting to precipitate action.

We believe that the underlying causes of unrests can be addressed through dialogue. Also, a regular wage review mechanism should be put in place. The minimum wage must be appraised in accordance with inflation and other economic indicators. We also call upon the buyers to pay an equitable price for the goods they buy.

Success of AL reform proposals depends on the new EC



SHAKAWAT LITON

THE ruling Awami League's recent proposal for empowering the Election Commission with supervising authority over the administration during the

parliamentary polls echoes with the ideas floated by the past EC led by ATM Shamsul Huda.

This means that the EC had thought of this five years ago, and at least two years before the 2014 parliamentary elections. Things could have been different in the last parliamentary polls had the proposals not been abandoned by the current EC in 2013.

Prior to the expiry of their tenure, the Huda-led EC in February 2012 sent the then AL-led government a set of electoral reform proposals, including the ones for empowering the EC with the authority to monitor the functions of some ministries during the parliamentary elections. It had proposed making it mandatory for the Cabinet Division and three ministries - LGRD, public administration and home affairs - to consult the EC before taking any decision regarding employee appointments, transfers or postings during elections.

The EC drafted the proposals one year after scrapping the election time non-partisan caretaker government through a constitutional amendment in 2011. The amendment paved the way for the then ruling AL to stay in power during the parliamentary election. It gave birth to a political crisis, as the then opposition, the BNP-led alliance, strongly opposed the cancellation of the caretaker system.

The previous experiences were that the party in power tried to influence the administration to win the parliamentary elections to retain power. This culture gave birth to the election time caretaker government system in 1996.

After cancellation of the caretaker government system, the Huda-led EC had sought to empower the Commission to monitor functions of some ministries so that the administration cannot be influenced by the party in power.

The Huda-led EC could not pursue the reform proposals as its tenure

expired in February 2012. The current EC, led by Kazi Rakibuddin Ahmad, was formed in the same month. And the Law Ministry sent back the proposals to the EC in September 2012. The Rakibuddin-led EC reviewed the proposals and dropped the ones empowering the EC with supervising authority before returning them to the law ministry. Some of the proposals were translated into law, but the move to empower the EC was buried.

Five years later, the ruling AL came up with proposals abandoned by the present Rakibuddin-led EC, offering the EC more powers than was sought by the Huda-led EC. During discussions with President Abdul Hamid on

February, after the end of the tenure of the current one, must be formed with people who have integrity and leadership. Only a strong and largely acceptable EC will be able to assert its power to ensure free and fair elections. The constitutional provisions still offer the EC unlimited authority to ensure free and fair elections. However, in the past, the EC was unable to assert its power due to weak and fragile leadership.

What can a strong EC do? Let's look at the example of the Indian Election Commission. During the last parliamentary election in 2014, the EC, upon receiving complaints, ordered the transfer of some officials, including five superintendents of

quoting sources in the EC, ran reports that the EC has the option of cancelling or postponing polls in certain West Bengal constituencies if the officers are not transferred. This worked like tonic. Mamata calmed down. Her government agreed on transferring eight officials of her state.

In February 2012, Union Law Minister Salman Khurshid was compelled to apologise to the EC.

At an election rally for the ruling Congress candidate, Khurshid had violated the code of conduct relating to the Uttar Pradesh state polls by promising a nine percent sub quota to the minorities.

The EC then wrote a strong-worded letter to President Pratibha Patil, seeking her intervention. Finally, Khurshid apologised. "I treat this matter as unfortunate and regret the statement. I

bow to the wisdom of the EC and remain personally committed to ensure that such situations do not arise," Khurshid said in a letter to then chief election commissioner SY Quraishi.

In Bangladesh, in the recent zila parishad elections, some ruling party MPs allegedly influenced the election by participating in the electioneering for their preferred candidates. In doing so, they violated the electoral code of conduct which imposed a bar on them from campaigning for any candidate. But the EC could not do anything. There are numerous examples of the current EC's inability to enforce the electoral laws for the sake of fair elections over the last three years.

Therefore, the next EC must set an example to restore people's confidence in it and in the electoral system. Before the next parliamentary elections, the new EC will have the scope for dress rehearsal by holding some local government elections in 2018. If it can do well in the dress rehearsals, it could help the EC to regain people's confidence. But now the most important thing is to form a strong EC with neutral and efficient people. Otherwise, no reform will work. And the ruling party's reform proposals, even if they are translated into law, might not be able to bring any significant change in the prevailing situation.

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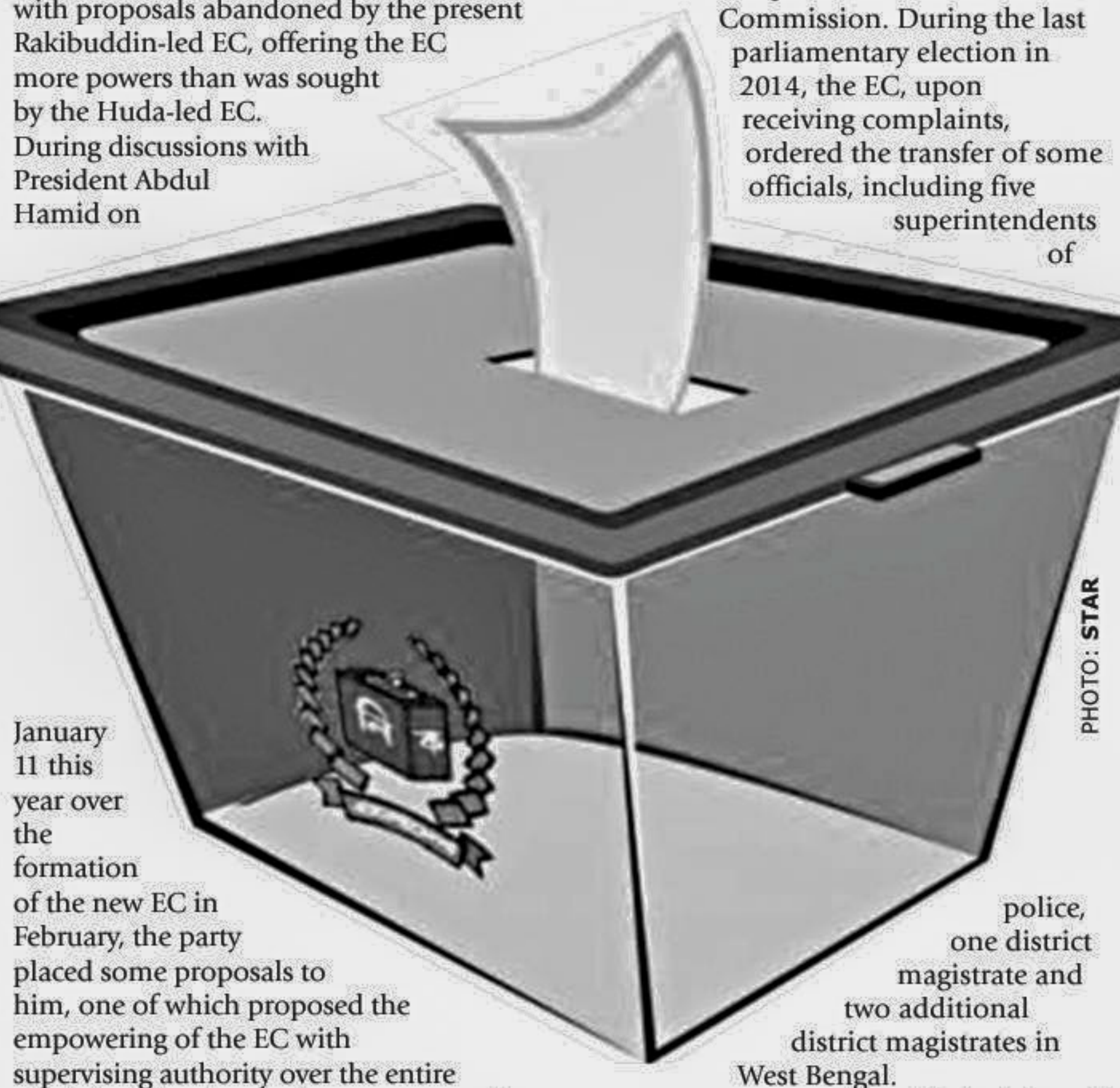


PHOTO: STAR

January 11 this year over the formation of the new EC in February, the party placed some proposals to him, one of which proposed the empowering of the EC with supervising authority over the entire administration, law enforcement agencies and all other departments engaged in conducting the parliamentary polls. In addition, the AL also proposed limiting jurisdiction of the polls-time government only to carry out routine work. If this proposal is implemented, the outgoing government will perform the role of the caretaker government during elections. And if all these proposals are implemented, the EC will undoubtedly be in the driving seat during the next parliamentary election.

Therefore, the next EC to be formed in

police, one district magistrate and two additional district magistrates in West Bengal. Mamata Banerjee, Chief Minister of West Bengal, was furious at the EC for ordering the transfer of officials in her state ahead of polling. "I challenge the Election Commission to remove anybody while I am in charge," she declared. "How can the Election Commission transfer and name new officers without consulting the state government?" asked the chief minister.

In New Delhi, the EC did not respond to Mamata's challenge, saying it would release a press statement if needed. But things took a different turn when media,