

Proposed EC bill doesn't ensure one's impartiality

Dr Badiul Alam Majumder, secretary of Shushashoner Jonno Nagorik (SHUJAN), discusses how the new Election Commission bill undercuts the ultimate exercise of democracy, in a conversation with Zyma Islam of The Daily Star.

Why are our Election Commissions deemed partisan?

Certain laws are only implemented to protect the interests of the current regime. A sheer lack of transparency led to the formation of the current and immediate past election commissions, such as the 2012 and 2017 gazettes issued by President Zillur Rahman and President Abdul Hamid, respectively, which decreed that the election commissioners would be chosen by a search committee. The criteria that the search committees had used for selecting the commissioners were such that anyone would fit the bill.

The criteria included being 50 years

able to nominate a person as an election commissioner. Based on the initial scrutiny, the search committee would come up with 20 people, of whom five would be women, and host public hearings for feedback. People with something to hide would automatically stay away, rather than face public scrutiny. Later, they would send seven names to the president along with a report, and make both the documents public.

We wanted one to two months for the process. But according to the law, the government will have only 10 working days to do this. This is nothing.

The search committees that created the incumbent and immediate past Election Commissions never disclosed the names of their proposed candidates. Not even a right-to-information request yielded that. This lack of transparency enables the president to ignore the search committee's recommendations. According to Article 48 (3) of the constitution, the president's decisions must be as per the advice of the prime minister. If no one knows the names, there is no guarantee whether the commission would be formed as per the prime minister's choice.

The search committee, too, needs to be constituted differently. The search committee we proposed would comprise a retired justice of the Appellate Division, and three parliamentarians—of whom one is nominated by the leader of the House, one by the leader of the opposition, and the third by the third largest party in parliament. There would also be one constitutional position, one media personality, and one member of civil society. The media personality and the civil society member would be selected by the other five members of the search committee, unlike what the proposed EC bill stipulates. This would ensure that there is one independent voice or more.

Can you reflect on the major points of failure of this Election Commission and the past?

Looking back, some of the most critical moments of failure of the current commission were when they refused to take responsibility for election time violence, allowing law enforcement agencies to wilfully repress the opposition candidates and their supporters, taking no action against election offences, and ballot stuffing, as revealed by the BBC, TIB, and centre-wise voting records. The Nurul Huda commission had said they would not use the electronic voting machines (EVMs) without the consensus of political parties. But he changed his mind and went ahead with EVMs in spite of a lot of resistance. Jamilur Reza Chowdhury was the head of the technical committee, and he refused to sign the recommendation to buy EVMs without voter verifiable paper audit trail (VVPAT).

SHUJAN analysed centre-wise data from the 11th parliamentary elections and found 213 centres with over 100 percent votes. In more than 1,200 centres, BNP had zero votes, and Awami League had 100 percent votes in 600 centres. The local government elections have been rife with violence, bloodshed and people dying, but the commission has squarely evaded responsibility, claiming that it was the administration's fault. A total of 42 of us petitioned the president in December 2020 and asked him to constitute a supreme judicial council to investigate the allegations of corruption and gross misconduct against the commissioners, but to no avail. It is clear that the commission is partisan and has committed fraud with the citizens.

of age, having 20 years of experience in important government or judicial service, etc. The disqualifications included having foreign citizenship, being sentenced for more than two years for criminal offence, etc. There are no mechanisms in place to test the history of honesty, courage and impartiality of the candidate. This paved the way for the appointment of our current chief election commissioner (CEC), KM Nurul Huda.

Huda was a bureaucrat of the 1973 batch—the batch that was appointed without any rigorous exams, just based on allegiances. Throughout his career, he was viewed to be anti-BNP. As a result, he was victimised by the BNP when they came to power in 2001. They sent him into forced retirement when he was only a joint secretary, and he had to take them to court. He won the case, but the BNP government made him officer-on special duty (OSD). After the Awami League came to power, he was made a secretary with retroactive effect. If the search committee had worked properly and transparently, people would have realised that he would have an axe to grind against the BNP.

The search committee itself needs to comprise fair and impartial members, and the president's gazettes or the proposed Election Commission bill do not ensure that. The search committee right now is made up of two sitting judges, the chairperson of the Public Service Commission, the auditor general, and two civil society members. All of these posts would have people who are either direct beneficiaries or not independent.

How do we ensure that the criteria of a fair, impartial commissioner can be met?

This cannot be done by setting any criteria. These need to be met by hosting public hearings and people speaking up. The committee is there to sieve through and find out what the truth is. The critical issue here is transparency and people's voice. The names being considered and recommended should be made public. Political parties should not be the only ones giving names. Anyone should be

We need logical thinkers now more than ever



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DEBRA EFROYMSON

FOR many people, education means sitting in a class and mindlessly repeating what the teacher tells you. But is that really what education is about?

At the Institute of Wellbeing, we have a sizeable internship programme. We engage the interns in a number of activities, exposing them to new ideas and challenging them to think critically on a range of topics. After the internship, the interns are required to submit a reflection. I take the time to read each one. Most of the remarks are unsurprising: they are thrilled to participate in a live talk show, to interact with a transgender person, to have opportunities to debate issues with their peers. All those who have been forced to do the internship remotely due to Covid-19 wish that it could have been offline.

But there are also the surprising comments that make me take a pause and sit back for a moment, stunned. One of those that has come up a few times is their gratitude for being heard. Let me say that again. They speak; I am interested in what they have to say. The internship is not about rote learning—about them repeating what I tell them. I am actually interested in their ideas. I often disagree; I enjoy arguing with them. But I encourage them to express their own ideas.

The topic came up strongly with a couple of Pakistani students, so I asked my Bangladeshi students if they faced the same issue here. Perhaps, I thought, it was a problem mainly in the Pakistani educational system. Surely by the time they go to university, students are no longer expected to just regurgitate what their

professors tell them? Alas, my Bangladeshi students said they experienced the same thing in most universities.

What kind of education do we offer our youth if we do not encourage them to learn to think logically and critically? It is not hard to notice the damage done by blindly trusting what you see on Facebook and other social media sites, while disbelieving doctors, scientists, and the print media. Obviously, people need to be able to apply an analytical mind to misinformation, sifting through the lies, deceptions and garbage to see if there is anything worthwhile, and knowing where to turn for better information. It has always been dangerous not to possess the power of logical thinking, but as we are inundated with misinformation, and as the potential costs go up—not believing in the safety and efficacy of vaccines, believing that the climate crisis is a hoax—knowing how to think for yourself becomes more important than ever.

Certainly, many of the most powerful among us would prefer that people not ask questions. That we accept the gig economy, the lack of secure jobs, the gross income and gender inequality that keep the rich rich, and men powerful at the expense of so many others. That we accept the idea that the environment is dispensable; all that matters is the economy, and the economy specifically refers to the ability of the wealthy to gain ever more money and power. But do billionaires control our educational system? Do we allow them to control our minds?

As our fascination with technology continues, we seem to have lost touch with so much that is basic in our societies. Many people say they have never read a book. Children are so absorbed by smartphones that they have lost the ability to hold a conversation. Our desire for ease, speed and convenience causes us to trash our planet with plastics, and throw away our lives on the roads.

Part of why I love working with the youth is that they, like me, tend to be optimists and idealists. They believe in a brighter future. I hope to show them that that brighter future, while still possible, is fading away quickly—and will never be obtained by trusting in the wealthiest and most powerful to make decisions on our behalf. We need to regain control of our lives, our thoughts and our politics, so that we can work together to achieve a better world for this and future generations—not by repeating what we are told, but by using our minds and hearts to search for, and achieve, something truly worthwhile.

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ILLUSTRATION: SALMAN SAKIB SHAHRYAR



Badiul Alam Majumder
FILE PHOTO: STAR

CROSSWORD BY THOMAS JOSEPH

ACROSS

1 Gives the axe

5 Poker round

9 Train stop

10 Scarlett's last name

12 Martini garnish

13 Trims

14 Sparkles

16 Catch some z's

17 British raincoats

18 Asserts

21 "— we there yet?"

22 Stadiums

23 Hog the mirror

24 Fellow player

26 Chemist's place

29 Platitude

30 Give the axe

31 Ready to go

32 Prepares

34 Loses color

37 Planet's path

38 Brainy

39 Strong winds

40 Influence

41 Pub pints

DOwn

1 Basement

2 For each

3 Exploding stars

4 Flower's support

5 Little jump

6 Cry of insight

7 Aslan's place

8 Visions

9 Church

11 Nile snakes

15 Horror movie sounds

19 Lusty look

20 Columnist

Landers

22 Fine study

23 Letter before omega

24 Defeats decisively

25 Desperado

26 Prone

27 Warring

groups

28 Defeats

29 Recipe amts.

30 Untamed

33 Forum garb

35 Geological period

36 Pig's place

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SATURDAY'S ANSWERS

R	A	S	P		G	O	A	D	S
A	S	P	I	C		A	N	V	I
B	L	I	G	H		L	E	A	V
A	E	R	E	T	A		T	E	E
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Electronic tenders (e-Tenders) are hereby invited from the competent international manufacturers/suppliers for supply, installation, commissioning of the captioned machine as per under noted schedule. Tender documents showing terms and conditions with specification will be available at web: <https://spcbletender.bb.org.bd>. It is to mention here that this is online tender where only e-Tender will be accepted and no hard copy will be accepted except price of e-Tender schedule and earnest money. To submit e-Tender bidders need to register on <https://spcbletender.bb.org.bd>. For more details please contact cell: 880-1534002183 & 880-1534002184. Necessary information is given below:

1.	Price per e-Tender schedule	:	1,000.00 (one thousand) Taka only.
2.	Date of publish of e-Tender	:	27.01.2022.
3.	Date, time and place of pre-bid meeting	:	09.02.2022 at 11.30am in the premises of The Security Printing Corporation (Bangladesh) Ltd, Gazipur.
4.	Last date & time for submission of e-Tender	:	03.03.2022 up to 11.00am.
5.	Date & time for opening of e-Tender	:	03.03.2022 at 11.15am.

Bidder may collect e-Tender schedule from the aforementioned website. Earnest money @3% (three percent) of the total quoted price shall have to be submitted in the form of Bank Draft/Pay Order/Irrevocable Bank Guarantee from any scheduled bank in Bangladesh in favour of The Managing Director, The Security Printing Corporation (Bangladesh) Ltd., Gazipur along with the price of e-Tender schedule in the form of a separate Pay-Order/DD in the tender box kept at Corporation's office in Gazipur on or before the scheduled deadline for submission of e-Tender. Irrevocable Bank Guarantee may also be given as earnest money from any international commercial bank abroad with a counter guarantee from any scheduled bank in Bangladesh. e-Tender(s) without earnest money and price for procurement of e-Tender schedule shall not be acceptable. The e-Tender shall have to submit as per e-Tender guidelines mentioned at above website. Offer(s) shall be opened as per schedule mentioned above in presence of the tenderer(s) if any. 01 (one) e-Tender schedule is applicable only for one supplier/manufacturer for submitting one offer along with earnest money and price of e-Tender schedule. The authority reserves the right to reject or accept any e-Tender(s) without assigning any reason whatsoever. Submission of e-Tender after the specified time shall not be acceptable under any circumstances.

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