

Turn candidates’ ‘halafnama’ into ‘amalnama’



Dr Badiul Alam Majumdar is secretary of SHUJAN: Citizens for Good Governance.

BADIUL ALAM MAJUMDAR

It is heartening to see that the media has been preparing statements based on the information in affidavits submitted by the candidates who are running for parliament. This requirement of submitting affidavits came from a ruling by the high court bench led by Justice Abdul Matin in 2005. The judgement required the candidates running for parliament to submit eight kinds of information with their nomination papers. These include their educational qualifications, criminal records, and assets, income and liabilities of both themselves and their dependents.

The court also directed the Election Commission to disseminate this information so that the people could use it to make informed decisions in casting their votes. The EC, however, failed to disseminate that information. We, on behalf of SHUJAN, have been disseminating this information through the media by preparing comparative statements for each constituency. We also thwarted the sinister efforts by an imposter named Abu Safa who, using false information, tried to overturn the high court judgement.

This idea of disclosure of information about the candidates in the form of affidavits has a history. In 2002, in Union of India vs Association for Democratic Reforms [2002 (3) SCC], the Indian supreme court gave a seminal judgement in which it stated that the right to know about public officials is derived from the constitutional right to freedom of speech and expression.

In a second case, People's Union for Civil Liberties (PUCI) vs Union of India [2003 (4) SCC], the Supreme Court of India further emphasised the importance of disclosure of antecedents. Using this information,

the court opined, the voters could decide whether they would vote for A or B. The court further said that if you don't want to turn democracy into a farce, you have to give the voters this right to have information about the background of the candidates. Bangladesh's judgement of 2005 followed these seminal judgments of the Indian supreme court.

There have been numerous efforts in our country to thwart this judgement. For example, in 2013 there were four city corporation elections: Barisal, Khulna, Rajshahi, and Sylhet. In the previous election, held in 2007, the Awami League mayoral candidates won and the BNP candidates lost. The same candidates ran again in 2013. We compared the affidavits submitted by the same candidates in both elections to see what happened to their income and wealth. What we found was that the income and wealth of the incumbent

In the last few decades, a lot of people have become very rich in our country, mostly through illegal means. They are now trying to “buy” political power by becoming MPs using their ill-gotten money. As a result, over two-thirds of our MPs are now businessmen who have been trying to further their interests using government power.

mayors, who were elected in 2007, skyrocketed. And the wealth and income of those who didn't win in 2007 either remained the same or declined. Thus, it became clear that getting elected was like getting an Aladdin's lamp in one's hands. In other words, anyone occupying an elected office is able to mint

said that the affidavits have become the tools of character assassination of politicians. Clearly, these were efforts to do away with the requirement of disclosing antecedents by candidates in the form of affidavits. But they forgot one extremely important detail. The demand for disclosures came from the Awami League itself.

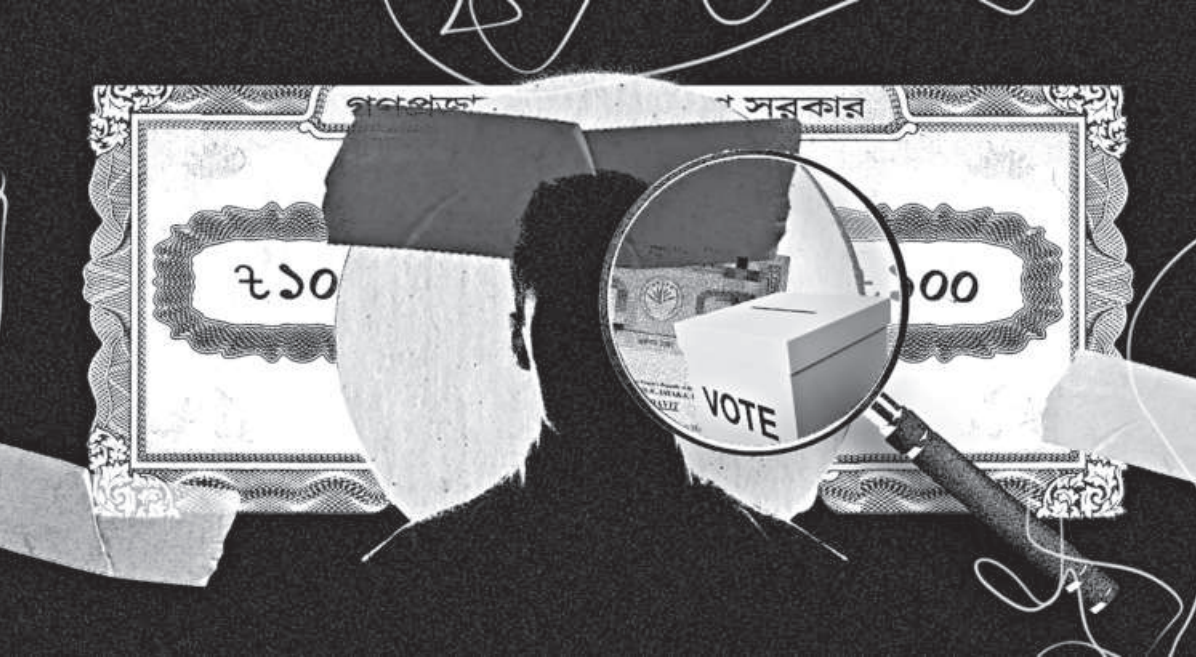
Dinbodoler Sanad (Charter for Change), in which it promised to regularly disclose the wealth statements of all powerful people in the government. But unfortunately, the ruling party and the government didn't keep their commitment.

The EC has also not been verifying the information submitted by the

the boat symbol. He appears to have hidden information about his wealth. More seriously, he did not disclose information about the cases under which he was arrested and bailed. For such non-disclosure, his nomination paper should be declared invalid under section 12(3)(b) of The Representation of the People Order, 1972. However, both the returning officer and the EC cleared Barrister Omar's nomination, allowing him to contest in the election to be held on January 7. Here didn't both the returning officer and the EC violate the law in validating Barrister Omar's nomination paper?

In the last few decades, a lot of people have become very rich in our country, mostly through illegal means. They are now trying to “buy” political power by becoming MPs using their ill-gotten money. As a result, over two-thirds of our MPs are now businessmen who have been trying to further their interests using government power. Many of them also hide information in their affidavits. Entry of many of these self-interested individuals to our electoral arena could be blocked if the EC would take the requirement of the submission of affidavits seriously and thoroughly scrutinise them. Unfortunately, despite our repeated efforts, we have not been able to convince the EC to scrutinise the affidavits and disqualify those who hide or submit false information in their affidavits. If the commission lacks capacity to scrutinise the affidavits, they can use the help of the Anti-Corruption Commission and the National Bureau of Revenue for this purpose.

The format for the affidavit developed before the 2008 elections has some serious limitations. We updated the format and shared it with the EC, but received no positive response from the commission. We hope the EC will take it seriously and revise the format and apply it vigorously. We urge it to do its part to clean up our electoral arena by turning the *halafnama* into *amalnama* for candidates running for office.



VISUAL: SALMAN SAKIB SHAHRYAR

money and get rich. We held a press conference to disseminate our findings. In response, Awami League sent a letter to the EC saying that we had defamed them using concocted information. This allegation was totally false as we used the information disclosed by candidates in their affidavits sworn before a magistrate. It should be noted that including false information in an affidavit, sworn before a magistrate, is a criminal offence under section 181 of the Code of Criminal Procedure. Yet, we were accused of using misinformation with the intention of defaming the candidates.

The biggest attack came from Sayed Ashrafur Islam, the general secretary of Awami League. In 2014, according to a *Prothom Alo* report, he

On July 15, 2005, Sheikh Hasina, the then leader of the opposition, said in a press conference that the candidates must submit her/his own and their dependants' wealth information with their nomination papers. Additionally, they would have to declare if they have any personal stake in any economic activities of the government. She also demanded that those who lied or provided misinformation in their affidavit face strict legal consequences. However, this was not the only instance when Awami League reiterated the importance of disclosure of antecedents of powerful individuals including MPs.

Before the 2008 parliamentary election, Awami League published its famous election manifesto,

candidates. There are widespread allegations of concealing or providing concocted information in the affidavits. A recent newspaper report indicates that at least nine of the ministers didn't declare their dependents' wealth in their affidavits. Notwithstanding the hiding of information, the skyrocketing of income and wealth shown in the affidavits of candidates who are running for the upcoming election reflect an obscene display of riches when many citizens are struggling to make ends meet.

One prime example of a candidate hiding information is Barrister Shahjahan Omar, who went to jail as a senior leader of BNP, then got bail to join Awami League and run for the upcoming election with

How did rickshaws become our heritage?



Shoaib Ahmed Sayam is a member of the editorial team at The Daily Star.

SHOAIB AHMED SAYAM

I don't remember the first time I hopped on a rickshaw. I don't think anyone does; it's just one of those memories that fade into thousands of commutes.

The humble rickshaw has transformed in front of our eyes, from something we take for granted to a symbol of our culture and history. On December 6, Unesco recognised rickshaws and rickshaw art as intangible cultural heritage. While the country is beaming with pride, this recognition makes me wonder: when exactly did we start appreciating the rickshaw, to a point that we now consider it to be part of our collective identity?

It is widely believed that the rickshaw was introduced as a mode of transport in Japan around the end of the 19th century. Known as *jirikisha*, these weren't the cycle-rickshaws we're used to; they were like the *thela gari*, with two wheels and someone literally pulling the vehicle.

As far as Bangladesh is concerned, many say cycle-rickshaws made their grand entrance through Kolkata in the 1930s. The streets of Dhaka, however, saw these three-wheelers years later (which is interesting as rickshaws have now become part of the capital's very character).

In the present day, rickshaw bodies are assembled, decorated, and maintained at worn-down workshops, usually located in rickshaw *bosti*. This is where the magic happens, and the art *mistri* enters the show. These painters come from different areas of Bangladesh and hone their craft under a master's apprenticeship for years. While other workers are busy with the applique decorations and tassels, the painters cover the rickshaws in vibrant colours—the star of the show being the painting on the back.

The bliss of rural life, the exciting world of cinema, the devotion to one's faith—all of our lives are reflected in popping shades of green, blue, and magenta on the backs of rickshaws. If your eyes have ever evaded the smog, dust, and dreary buildings to only fall on a rickshaw, you might have noticed a different city—one that houses human-like animals, one or

two odd helicopters, and the writing in Bangla: “*Maa'er doa*.” Maybe that's why we've embraced rickshaws as part of our identity and heritage.

But what exactly is heritage? While definitions are endless, according to the Center for Heritage & Society at the University of Massachusetts Amherst, heritage is “the full range of our inherited traditions, monuments, objects, and culture—in tangible and intangible forms.” It goes on to say, “Heritage is, or should be, the subject of active public reflection, debate, and discussion. What is worth saving?” Let's reflect on this.

Rickshaws becoming a part of our heritage points to one thing: that it needs to be preserved, protected. But why would something need protection? Are our rickshaws at risk? Actually, they most definitely are.

For a long time, rickshaw-pullers—both blatantly and systematically—have been abused, discriminated against, and othered by the *malik* (rickshaw owners), the common people, and even by the state. The tags of inefficiency and under-development have always accompanied these vehicles.

Authorities, as well as many experts, have singled out rickshaws as the bane of Dhaka's traffic. In 2019, rickshaws were barred from plying three major roads. Has this improved traffic? No one knows. If we go way back, the country's Third Five-Year Plan prescribed, “Slow-moving vehicles such as pedal rickshaws, push and pull carts, etc, should be gradually eliminated through development of automotive vehicles.”

This quest for modernisation is deep-seated. “The dynamics of bans and restrictions of rickshaws in Dhaka is a part of a global trend towards auto-oriented development,” states a 2018 study. “These bans are also part of a blue-print to help secure a place for national and international capital in costly transport infrastructure.”

While many experts call for improving public transportation and restricting slow-moving, non-motorised vehicles, others say it's all the private cars and buses that

are largely to blame, and not the rickshaws and vans. Who's correct? The truth probably lies somewhere in the middle.

What I do know is how vilifying rickshaw pullers makes their tough lives even tougher. “Rich people are buying cars and motorbikes,” rickshaw-puller Abdul Mubin told *The Economist* in a 2019 article. “A lot of them have more than one. How is banning rickshaws going to help traffic?” Mubin asked a question that is valid but more importantly one that his livelihood depends on.

According to Bangladesh Institute of Labour Studies, almost all rickshaw pullers are married, meaning they have families depending on them. For 90 percent of the pullers, this is their sole source of income; and they, in general, have little to no assets. Their living conditions are depressing as,

The Economist stated that at least 40 percent of the 3.5 million daily trips on Dhaka's streets are made by rickshaws. These vehicles ensure the livelihoods of around 1.5 million rickshaw pullers and their families directly. Economics goes hand-in-hand with physical and social mobility, and rickshaws come to our rescue here. As per one study, women and people from low- and middle-income groups are more likely to be socially excluded if rickshaws disappear.

Plus, the three-wheelers also support countless mechanics, parts suppliers, and yes, painters. Let's talk about art again, only this time, in a less flowery tone.

Mass-produced artwork is eating into the livelihood of rickshaw painters. Large companies now make the rickshaw back-plates in bulk, at

These artists are already latching on to a dying craft, but if the current form of the rickshaw ever ceases to exist—akin to the disappearance of our lively “baby taxis”—the art will only remain as the memory of a bygone era.

Several Asian countries have already phased rickshaws out; only their vestige remains for tourists. However, Bangladeshi rickshaws are a resilient breed, and their numbers have been increasing despite the persecution. I believe that even if the main roads become more hostile, as long as the labyrinthine alleys of Siddique Bazar or Mohammadpur exist, so will the rickshaw pullers, albeit more hesitantly.

As is clear, while celebrating the intangible, we neglect the tangible lives of millions. But the moral conundrum is this: should rickshaw

Pulling rickshaws is an inherently unsustainable source of livelihood, as a paper co-authored by economist Binayak Sen points out, due to the extreme physical demands of the activity, on top of poverty and malnutrition. This job brings with it a slew of health complications and little reward, as it provides no permanent path to escaping poverty.



While celebrating the intangible, we neglect the tangible lives of millions.

FILE PHOTO: STAR

on average, 21 of them live in a single room. To top it all off, 96 percent of the pullers don't even own a rickshaw; they have to rent the vehicles daily.

Looking at these numbers, should we not worry about how the countless rickshaw pullers will fare in our quest for modernisation? If we don't protect these people, can we protect our rickshaws, our heritage?

For the people who only care about development and economics, we should also talk about how rickshaws sustain cities. In the 2019 article,

half the price the painters charge. Interestingly enough, rickshaw art has garnered the interest of foreigners and upper-class residents, some seeing it through an exotic lens, detached from the average commuter's life. Many upscale businesses have even co-opted the art, as they emulate the patterns and colours to produce everyday accessories and home decor items. While some painters get business from such customers, it's not enough to sustain the whole sector.

pullers—even in this day and age—risk their physical health to move us?

Pulling rickshaws is an inherently unsustainable source of livelihood, as a paper co-authored by economist Binayak Sen points out, due to the extreme physical demands of the activity, on top of poverty and malnutrition. This job brings with it a slew of health complications and little reward, as it provides no permanent path to escaping poverty.

Meanwhile, battery-powered rickshaws, once a rare sight, are

commonplace now. However, these improvised vehicles are illegal, and therefore, authorities are always on their tails. And because they are improvised, this new form of the three-wheeler is quite risky as, with each passing year, they become faster but without appropriate safety mechanisms.

But let's put all these aside and ask: why should traditional rickshaw pullers lug our bodies from place to place, under the scorching sun, for pittance? We talk about development, modernisation, and innovation. Are these only reserved for the elite? Surely a modern, legal, and safer version of our heritage can be introduced so everyone—rickshaw pullers, commuters, even the authorities—benefits. I've heard that a lot of conflicting stakeholders block such moves, but the mass adoption of electric rickshaws implies that alternatives are in high demand.

Sure, rickshaws cause traffic jams, they go the wrong way, and ignore the law. But every vehicle in this country does the same, so why single out the rickshaw? Isn't our culture—the one we're selectively proud of sometimes—to blame?

It seems we like the concept the rickshaw embodies: one of moving freely through familiar streets, of feeling the gentle breeze and faint rays of the sun. We love seeing colours moving and dancing around the city. But we can't fully accept the bearers of these colours. One day, when the colours will fade just enough, we'll notice and decide that this “heritage” must be protected. But by then, will it be too late?