

DHAKA MONDAY FEBRUARY 23, 2009



Expectations from the new Government

OUR 18th anniversary celebrations coincide with Bangladesh's re-starting its democratic journey. A peaceful and well-conducted election, an elected government in charge and a functioning parliament have all created a huge expectation for a future of growth and freedom. The large turnout and the active participation of young and first-time voters testified to a desire for change in our political and economic life.

EDITOR'S NOTE

With the euphoria of victory receding in memory the hard task of governing the country now stares the new government in the face. With unbridled corruption to check and an economy to rejuvenate that suffers from severe power crisis, acute infrastructure weakness, inefficient and partisan bureaucracy the task before the new government is far from easy.

In addition to the multi-faceted internal challenges that we face, Bangladesh will now have to forge its future in a world that is facing the severest financial crisis in a hundred years. The external assistance, especially in terms of adequate FDI, that we need may not be easily available in the near future.

With our three-part supplement, the first of which we publish today, we have tried to chalk out a road map of how to move the country forward. In all the three sections, to be published in three successive days, we have tried to address the issues likely to be faced by the present government.

In today's section (Part 1) we address the question of what the people expect from this government to provide answers to which we have brought in some of the most famous and eminent minds of the country. In Part 2, to be published tomorrow, we revisit the two year caretaker government experience and evaluate the contributions, positive and otherwise, made by it. Part 3 addresses the global situation without an evaluation of which Bangladesh cannot realistically plan for its immediate and mid term future. All the three parts contain highly insightful write-ups of experts in almost all fields that the present government needs to address. We hope that our policy makers will take due note of the in-depth, highly informative and well-researched articles contained in our three-part supplement.

We take this opportunity to sincerely thank our readers, contributors and advertisers for the support and loyalty that they have shown over the last 18 years to make this paper by far the biggest English language daily in country. Without their support and patronisation we could not have come this far.

We hope that our readers, advertisers and patrons will find our humble effort worthy of their attention and time. Thank you.

MAHFUZ ANAM
Editor & Publisher

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The challenge of statesmanship



STAR ARCHIVE

REHMAN SOBHAN

S EVEN weeks have lapsed since the Awami League led grand alliance assumed office. This is the Awami League's third opportunity to lead Bangladesh. Sheikh Hasina is hopefully, conscious of how history has given her a second chance to realise the unfulfilled aspirations of her father, Bangabandhu. It would be both a personal tragedy as much as a national loss of immeasurable consequences, if she and her government fail to meet their trust with destiny.

Since the moment of her party's unprecedented, indeed, unexpectedly handsome electoral triumph at the polls on 29th December, 2008, Sheikh Hasina has demonstrated a strong awareness of her moment of truth. She has spoken with considerable sobriety in setting the tone of her administration. Her cabinet, with a few exceptions, appears to have been chosen within an eye to the integrity of the person rather than their experience for the job. This has meant that an exceptionally high proportion of the cabinet appointees are holding office for the first time. In such circumstances we have to give the appointees a chance to prove that they can preserve their integrity while learning on the job.

In practice, given the relative inexperience of the cabinet, much will depend on the direction given to them by the Prime Minister and key appointees such as the Finance Minister, who have rather more experience as well as expertise in their particular portfolio. However, this lack of expertise on the part of ministers should not be seen as a justification for concentrating decision making within the Prime Ministers office, now being strengthened by the infusion of a growing retinue of specialist advisers. This would merely perpetuate the tradition of an all powerful executive Presidency where cabinet government became the first casualty. The Ministers should be encouraged to assume responsibility to fulfill their mandate and left free to establish their own panel of experts to advise them in their tasks.

The new government has to also recognise that it is assuming office in the wake of three largely ineffective parliaments which failed to discharge their constitutional mandate of holding the executive accountable. This owed to our tradition of confrontational politics where the ruling party gave little opportunity for the opposition to effectively give voice to public concerns. In response, the opposition opted for the streets rather than the Sangshad as the arena for political expression.

To reactivate parliament will, to a large extent, depend on the will of the ruling party and particularly the Prime Minister, to ensure that it can be made the centre of our political life. This task

has been made more difficult because of the exceptionally weak representation of the 4 Party Alliance in the parliament who command only 32 seats in a house of 300, assuming that they will retain the two seats vacated by Khaleda Zia. A further concern is that only 2/3 members from the current Opposition have any front bench experience with a capacity to effectively challenge the government on the floor of the house. The Leader of the Opposition, for one, has yet to demonstrate her parliamentary skills.

In such circumstances, the ruling party will have to make an extra effort to keep the Opposition engaged in parliament. Otherwise, the Opposition may, once again, be tempted to make their case on the streets. With the support of 37 percent of the electorate they have the capacity to do so. In such a context, the ruling party could have dealt more generously with the demand of the Opposition, for a disproportionate share of the front bench seats. Invoking the precedent of the BNP's unfair behavior to justify the present government's ungenerous response, demonstrates weak political foresight. 8/10 members sitting on the front bench would provide both voice

and visibility to the Opposition which would have been registered on the TV screens every day that the Sangshad was in session.

The true measure of mature political leadership lies in the capacity to reach out to the non-partisan and motivate them to become supporters. But it is the statesman among such leaders who has the vision to win over his/her opponents to transform them into allies in a mission for genuine change.

Beyond such cosmetic gestures the more substantive opportunities provided to the Opposition should come through giving them voice in the business of parliament. It is hoped that the offer of the second position of Deputy Speaker will be carried forward and accepted by the Opposition. 50% of the Prime Minister's question hour should be allocated to the Opposition. The Prime Minister, has already demonstrated her facility in handling questions and would clearly revel in the opportunity to face the Opposition. This will be contrasted, in the public mind, with the tenure of the last BNP government when the Awami League, then sitting in the Opposition, was denied any opportunity to interrogate the former Prime Minister during question hour.

A further gesture would be to offer the chair of a few of the more important parliamentary committees, such as the Public Accounts Committee, to the Opposition. Furthermore, on all mat-

ters of debate and legislation the Opposition should be given a prioritised and a disproportionate amount of time, to speak. This too could be contrasted with the denial of opportunities to the Opposition to speak, during the tenure of the outgoing Speaker, Jamiruddin Sircar, who made a mockery of the concept of an independent Speaker of the House.

Whatever positive gestures may be made towards the present Opposition there is no guarantee they would not prefer the street to express themselves. However, the incumbent government would then be absolved of the charge that their autocratic behaviour in parliament drove the Opposition into the streets. It is to be hoped that the Opposition would give the government a fair chance to prove or disprove their promise of fair play within the Sangshad. The BNP also too needs time and space to rebuild their party and recoup their depleted political fortunes.

Apart from the attempt to heighten the voice of the Opposition much greater use should be made of the unusual presence of a large number of senior parliamentarians from the ruling party who are sitting in the

from outside the administration. As in the US Congress the PCs should be empowered to convene public hearings on issues of national concern.

It is not clear if the Prime Minister had such an enlightened mission in mind, when she opted to leave so many senior members of her party out of her cabinet. Whatever be her motives, her decision, could emerge as her most imaginative to date. These senior members now invest the 9th Sangshad, with a unique opportunity for building a strong parliament as the basis of a strong democracy. The real re-balancing of constitutional power for strengthening democracy should not be between the President and the Prime Minister but between an all powerful Prime Minister and an empowered Parliament.

Beyond making the Sangshad effective, the crucial task will be to deliver on the promises spelt out in the Awami League's Vision 2021 manifesto. This would be a welcome point of departure for an electorate grown cynical at the unkept promises of elected governments. The government should spell out the specifics of how and when they intend to deliver on their manifesto. Civil society should carefully track this

performance and report on this to the public as well as to parliament who can utilise these findings to hold the government accountable to their electoral mandate. The government should use the Prime Minister's commitment to end poverty as their guideline for fulfilling their vision. Programmes and policies which challenge poverty should, thus, be prioritised. For example, the move for guaranteed employment or the distribution of Khas land should be urgently developed into operational programmes. Some policies which are also ready to be implemented, such as the reform of the Land Administration System, should be fast tracked. Prioritising poverty eradication is sound economics as well as sensible politics. If you invest in these resource poor households they will not only double the return on your investment but command the electoral strength to vote their benefactors to power in the next elections.

Implementing anything in Bangladesh, given the degenerated state of our governance, is likely to be a demanding task. The government will, therefore, need all the help that it can

get. The machinery of government will certainly need to be re-energised, re-incentivised, and for the more ambitious tasks, re-invented. This will need decisive leadership to deliver a clear message to the administration about the firmness of the government's commitments.

Over the years our governments have remained excessively and needlessly dependant on donor advice and external expertise. This has demotivated the administrative machinery and led to the neglect of our domestic professional talents. This government, with its enormous democratic mandate, should be the first, in many years, to reach out to this wealth of underutilised indigenous expertise and invite them to put their talents to productive use in the service of the people of Bangladesh.

This appeal should not limit itself to those who are direct sympathisers of the ruling party. Those who enjoy the confidence of the ruling party and have the expertise to be of service, should be effectively utilised by the government. However, there is a much larger community of apolitical or non-partisan professionals who also have much to contribute. They need to be motivated to come forward and invest their talents in the service of policy change. Once such an appeal is made a variety of institutional mechanisms should be devised to put these mobilised talents to work, through advisory panels, specialised task forces, committees, commissions and direct employment in the government for the implementation of specific programmes.

In a traditionally partisan political culture such an inclusive strategy would invoke the support of the professional community who traditionally remain alienated from any government. It would also encourage all voters, but particularly the new generation of voters who are increasingly coming to determine the outcome of elections, to view the government as representatives of the nation rather than just a party. Such an approach to governance would greatly broaden the support base of the government. The true measure of mature political leadership lies in the capacity to reach out to the non-partisan and motivate them to become supporters. But it is the statesman among such leaders who has the vision to win over his/her opponents to transform them into allies in a mission for genuine change. Dare we hope that Bangladesh is on the threshold of such a transformational point in our fractured political history?

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Working together for change

DR. KAMAL HOSSAIN

As conscientious citizens we have struggled for change, a struggle in which democratic forces have found strength from all segments of society. We have aspired for political, economic and social change, having suffered from economic and social injustice under authoritarian modes of governance. We yearn for a working democracy in which we can all participate to bring about political, social and economic change.

We have time and again found strength through unity in a collective struggle for shared national goals. The movement for democracy and against a military rule had climaxed in 1990 with an agreed commitment amongst all political forces to restore parliamentary democracy and to strengthen democratic institutions the rule of law, an independent judiciary, and a media committed fearlessly to truth and to give voice to the people. These goals for a transparent, responsive and accountable mode of governance have been powerfully rearticulated in the concerted efforts for political and economic reforms during the last few years.

Collectively we struggled to rescue ourselves from a political process which had degenerated and become captive in the hands of black money and armed musclemen. The universally shared goal was to regenerate healthy politics to rescue the overwhelming majority who had suffered as hostages and felt powerless under a system of governance which had become authoritarian. A highly centralized structure of the Government and political parties has excluded us citizens. A confrontational political culture had excluded not only the opposition but the people themselves from participation in governance. Transparency, accountability and the rule of law had for all practical purposes ceased to operate in the political system.

While we thus demonstrated unity in support of national goals these goals remained unrealized. Today therefore we have an opportunity to rededicate ourselves to those goals. The important lesson, which we cannot afford to ignore, is that we have to unite to identify the means by which to attain goals devising strategies, strengthening institutions, and defining the proactive role of different key segments of society in particular media, professionals and conscious citizens.

We must no longer see ourselves as passive onlookers, self-centered and submissive. Citizens must be proactive to make democratic institutions work. We must courageously monitor and take risks to uphold democratic values and human rights and to expose violations of human rights. We must support the struggles of the disempowered so that they can secure redress. It is the force of a citizens' watch that those who make pledges to the people in election manifestos can be protected from their own forgetfulness, and the very human tendency, which has resulted in the past of words not being followed by deeds, or a gap opening up between pledges and performance. If this happens and people remain inert, they become disempowered and their voices are callously disregarded and ignored.

We have witnessed how a silent and powerless majority become helpless spectators, because of their apathy towards wrong doing. This must not happen again. We cannot allow it to happen again. We have learned valuable lessons from decades of past experience. We must ensure that voices for change, voices demanding justice, voices demanding change must be heard. We need to recall the voices that have remained unheard, and raise them together in unity for a meaningful response. These include:

- The voices of parents, like those of Sony, the brilliant BUET student who lost her life in a shoot-out between armed gangs patronized by the ruling party, a curse which afflicts our public universities. The voices that cried out for terror-free, educational institutions have remained unheard.

- The voices of those who comprise nearly 40 per cent of the population of our capital city, including garment workers, and rickshaw pullers, who live in bastis (slums). They continue to live under the continuing threat of forced eviction. Despite policy declarations and promises, schemes for their rehabilitation await implementation.

tation.

- The voices of businessmen expressing their deep frustration when genuine business initiatives are confronted by barriers to the point of ruining their business, preventing vital projects from being implemented or driving away sound, prospective investors from Bangladesh. An example of the outcome of such callous mismanagement is the acute power shortage which is seriously affecting our economy. The same is the case with regard to the reported shortage of gas. The shortages were predicted more than 10 years ago and could have been prevented, but adequate power generation, exploration and development of gas were prevented by the limitless greed of the powerful.

- The voices of jute mill workers in Khalishpur and other sites will tell us that after working for decades to build a prosperous jute industry they now find themselves and their families on the street reduced to destitution.

- The voices of families, whose members have been murdered only to find that the murderers had been protected by the powerful and given immunity.

- The voices of women denied their rights within the family and vulnerable to violence.

As we cry out for change, we must change ourselves and our mind sets. We must focus on the strengthening of democratic institutions so that they begin to function effectively. The nation is looking forward to a vibrant Parliament that could play a dynamic role in re-generating democracy. Lively debates on policies - on the national economy, on industry, agriculture and education, health, economy, environment and other vital national sectors. Committees should be alert and active in ensuring that the executive branch and the administration are responsive to public needs and national priorities. The role of the opposition should be positive and its criticism constructive. It would be a giant step forward if when pointing out deficiencies in any official policy or performance the opposition would put forward well thought out alternatives.

There is an urgent need for the state-owned electronic media radio and television to become an autonomous institution for dissemination of information. We do not want to see the state-owned media become a government public relations agency, a relic of

unprecedented popular mandate can welcome citizens' participation by consultation through Parliamentary Committees, and by advisory groups involving stakeholders and others who can contribute to improving the quality of governance. Periodic progress reports could be published on the pledges made to the people. The Government has got off to an excellent start with an announcement of reduction in prices of fertilizers and certain essential commodities. Let these reports become a regular feature.

The most critical sphere in which such progress reports must be made transparent is in relation to the awarding of major projects, in sectors such as power, telecommunication, oil and gas, and major infrastructure. Procurement guidelines must not exist only on paper but must be understood and sincerely implemented by all those who are to apply them.

The educational sector has rightly been accorded the highest priority as

stitutional imperative of equality before the law and equal protection of the law. No one in our constitutional order can be above the law. No one can claim or enjoy impunity if s/he transgresses the law. There must not be any party political interference in the impartial and effective implementation of the law. The nightmare of the past must be buried when the Home Ministry and powerful godfathers - could interfere with the police in major investigations giving impunity to those charged with war crimes, murder, and rape, major corruption and extortion at every level. This is how notorious criminals were elevated to the status of VVIPs. It is noteworthy that the word 'godfather' has entered the Bangla language and is understood even at the grass-roots. Citizens who live in villages or in towns have shown a remarkable solidarity in voting against the corrupt 'godfathers'. It is time that we together rescue ourselves from continued persecution of extortion by

firmed in the goals set by the government, because it has been given a generous mandate. This time we cannot fail, 37 years have passed since independence. We have lost a great deal of time and opportunity. If the strategic goals set for 2021 are to succeed we must begin to make meaningful change in our institutions and our political behaviour. The magnitude of the challenge that lies ahead has been focused in a recent DFID study, thus:

"It is predicted that the population (of Bangladesh) by 2030 will be nearly 200 million with 40% under the age of 15. An additional 6-8% of Bangladesh will be permanently under water; flood-prone areas will increase (from 25% to 40% of the country by 2050). Three-quarters of the Himalayan glaciers may have vanished with disastrous consequences for areas dependent on the Ganges and Brahmaputra rivers. Environmental refugees from rural areas will be flocking to the cities where flood defences will be concentrated and over 80 million people will live in urban slums; Dhaka will be one



Let us decisively put the past behind us the callousness, the inertia, the failure to take timely decisions, the lack of coordination as powerful groups fought over the spoils, while people suffered and the nation's progress was impeded. The need to work together applies to all without exception. We have identified the barriers to change which need to be overcome, the barriers which have left us a power crisis, a run-down educational system afflicted by violence and terrorism, and major deficiencies in infrastructure.

the past bureaucratic tradition. The voices of people must be heard over BTV and state-owned radio. If necessary an Independent Broadcasting Trust can be set up, led by trustees who enjoy public confidence and respect. The muted voices of the silent majority could then be heard throughout the country so as to reach out to their public representatives and expect them to be responsive to their needs and priorities.

People can thus begin to liberate themselves from being passive and inert subjects under a hierarchical governance system in which citizens were kept in the dark on the plea of official secrecy and many of the human rights guarantees remained only on paper. The Right to Information Act must therefore be effectively be implemented as a matter of urgency and the newly established Human Rights Commission needs to be made fully operational with the resources and capacity to fulfill its mandate. Resources must be committed to strengthen the independence of judiciary and to fully implement its separation in order for it to play its role as guardian of citizens' rights under the constitution and the law.

The Government enjoying an

a national goal to ensure meaningful change and over-all progress. The educational system must be rescued from being an arena of unhealthy power politics. Educational institutions must be made terror free and the armed cadres who had operated there must be demobilized and campuses made free from the rule of such cadres. This particular malaise has not only undermined the integrity and effectiveness of the major public universities and important educational institutions. Our universities which have been a source of national pride, must regain their reputation of excellence in academic standards and ensure that talented students can be equipped to hold their own in a competitive global arena. Not only must we meet the set time targets for making education available to all but the quality of education must be raised across the system. Our education policies must not create a narrow, privileged elite, the products of expensive city-based private schools while the rest remain condemned to low quality education.

A fundamental pillar of democracy is the rule of law and access to justice. The key element which demands urgent attention is recognition at every level of governance of the con-

organized groups.

Restoration of the rule of law is what we owe to ourselves. Even as so many of us have to brave natural disasters, to endure poverty and deprivation of our basic entitlements access to food, access to education and access to health but persevere to struggle against such odds and, at the same time, put our hard labour into producing bumper crops and sustaining our national economy in these most challenging times.

A systemic change must be brought about in relation to the police. The draft legislation for a new Police Act needs the highest priority. The nineteenth century Police Act and the mind-set on which it was based must now be replaced by a system where police is seen as the protector of the rights of citizens; they must work in each community and ensure human security by protecting the lives, honour and property of even the humblest of citizens. Let us proclaim bury the feudal order, where the powerful can terrorize and practice extortion on a scale that reduces ordinary citizens to a kind of serfdom. This cannot be allowed to continue in the twenty-first century.

The pledges made in our Constitution, need to be strongly reaf-

of the world's largest cities with 30 million people. In rural areas, this urban migration could mean that the countryside is abandoned to the elderly, women-headed households and the very poorest of the poor. Arsenic could remain a massive health threat, reducing crop productivity and contributing to food shortages".

This and similar studies must concentrate our minds and our resolve to work together. We do not have the luxury of repeating the time-worn alibi for inaction, namely "You can't have change overnight". We have already lived through thirty seven postindependence years, striving and hoping.

Time targeted-goals are called for. There are indeed goals which will require 5, 10, or 15 years. The announced 2021 plan itself recognizes that it will be implemented in successive stages, but the process must commence NOW. The direction has to be set, while a sense of victory engulfs us all. Let us decisively put the past behind us the callousness, the inertia, the failure to take timely decisions, the lack of coordination as powerful groups fought over the spoils, while people suffered and the nation's progress was impeded. The need to work together applies to all without exception. We have identified the barriers to change which need to be overcome, the barriers which have left us a power crisis, a run-down educational system afflicted by violence and terrorism, and major deficiencies in infrastructure. Let no more alibis, no more excuses, no more blame game, no more confrontation stop us. Let us whole-heartedly pledge to work together and build a Bangladesh that our martyrs dreamt of and which is a dream that must inspire our youth to commit themselves to move forward together from darkness towards light.

Dr. Kamal Hossain is an eminent jurist and politician.



DHAKA MONDAY FEBRUARY 23, 2009

Bid farewell to confrontation

DR. SYED ANWAR HUSAIN

BACK in December 2000 I was in Kathmandu participating in the Second SAARC writers' Conference. During one of the sessions a Nepalese friend sitting by my side shoved into my hand a small book, and requested me to browse through the same at my free time. I did what I had been asked to by my good friend during my freest time back at hotel late in the evening. The book was an anthology of Nepali poems, rendered in English, which I read through with interest and sometimes excitement depending on the themes and appeal of the language. But I read and had to reread the poem titled "Political Proximity: Locusts or Bees" by Kedar Man Bayathit. The following lines were the source of my excitement:

"In the above context
whose politics do you think can be compared

to the politics in your country
the one followed by locusts
or the other belonging to the bees?"

The poet imagines two types of politics represented by these two insect species. As is generally known, locusts destroy standing crops, but bees build beehive full of such resource as honey. The poet compares politics of his country to what locusts do; but he envisages the politics of bees.

I do not know of any distinguished poet of ours having written a poem overlaid with such a political theme; although there is no dearth of political poems, and some of which are no less exciting than that of the distinguished Nepali poet's. But if asked as to what type of politics we would desire we would say in one voice that it is the politics of bees, as we have grown accustomed to the politics of locusts. As it is, such an endemic locust type of politics is the fall-out of our divisive and confrontational politics. Such a type of politics destroys everything, including politics itself, but fails to build anything substantial. This has been our disquieting legacy over the last thirtyeight years. But one might be quick in coming up with huge statistical data and indicators to drive home the point of apparently impressive growth in many sectors. No doubt, these are impressive, but growth does not mean development. Development means growth with equity; and this is exactly what has eluded Bangladesh so far. As there is the primacy of the political, our politics of locusts and its producers have to bear the burden of responsibility for whatever is amiss or remiss in our political trackrecord.

Lord Tweedsmuir (1875-1940), the Scottish author (and governor general of Canada 1935-40) who had a good deal of interest in politics had this to say to those members of the British public who had tasted bad in the constant bickerings between the Conservative Party and the Labour Party (and the Liberal Party had lost its strength and vitality after 1906): "Politics is still the greatest and the most honorable adventure."

Of course, the British public proved to be difficult takers of such a divisive politics. Had it not been for the overwhelming impact of Edmund Burke's (1729-1797) writings and oratory by the third quarter of the eighteenth century in favour of party politics the fate of political parties in Britain would have been uncertain. So Burke's spadework done years before made Tweedsmuir a successful seller of politics. But by the 1920s and 1930s Britain had grown accustomed to divided politics along party and thus ideological lines.

Ours is a politics which, in common with other former colonies in the Third World, has roots in the colonial heritage. In concept, construct and modalities this politics is of Western origin. Pre-colonial South Asia had politics of palace and nobility, which was entirely a different kind from that of the politics of the colonial period and its carry-over in the post-colonial period. But the paradox is that the paradigm of politics that we work within is borrowed from the west, albeit without the spirit underlying the same; and this is perhaps the explanation for our dysfunctional politics. In the Western democratic milieu political parties, although instruments of political division, are

engaged in, as the American political scientist Seymour Martin Lipset indicates, "institutionalised competition". The race for power does involve competition, and which takes place as per rules of the game called institutionalised competition. This does not, however, mean that the Western democracy is without any weakness. Weaknesses do galore, but which are yet to make the Western politics as dysfunctional as that of ours. In our case, the democratic norm of institutionalised competition has turned out to be institutionalised confrontation.

At this stage we may now return to the quoted saying of Lord Tweedsmuir in order to indicate its relevance to our context. In view of the dysfunctional politics that we have our politics has certainly remained the "greatest adventure"; but it remains open to question whether this is still the "most honourable" one.

Barring politics of a few exceptional personalities, politics in general of Bangladesh does not qualify to be honourable; and to be most honourable our politics needs to undergo a miraculous paradigm shift. Such a paradigm shift may be preceded by something like an expiatory purification in a purgatory like process. There may be a few explanatory words on such a process, to which we will return later.

How the misperceived and misapplied Western model of democracy

Pluralism is meant for a fair political game as per rules, and also giving people choice out of options and alternatives as far as their present and future political course is concerned. In a sense, pluralism facilitates a dialectical process in politics for resolving stand-off or conflicts. Pluralism does not mean sheer competition to the extent of confrontation. In fact, the basic norm for the functioning of pluralism in a democratic socio-political milieu is what Voltaire has reminded us of: "I detest what you say, but will defend to death your right to say so." This is how democracy begins at the personal level within the societal context. Transferred into the national political milieu such an attitude facilitates the practice of pluralism. A continuation of pluralism is political divisions, ideological and otherwise. But such a division loses its democratic content and spirit when these divisions fracture the political society into 'us' and 'they'; and thus engenders a confrontational spirit across the divisions. Such fractures are mostly responsible for our meaningless political fracas and skirmishes with spillover negative impact across the nation.

In such a context the question of appropriateness of the Western paradigm of democracy appears to be relevant. But many would argue that this is an archaic issue and the resultant debate obsolete. Such an argument has its obvious logic; but at the same time,

poignant question. But as the English weekly of London Economist has already cautioned us of a bad start. We could, at best, keep our fingers crossed and wait to hope for the best. As I write about such a qualified optimism as to our democratic future a couplet of the nineteenth century Bangali poet Girish Chandra Sen crosses my mind, and my own English rendering of the same (as I have not come across any English version of his poems) would be: "The waves of woe rise and fall in the sea of life / Hope is the only raft in such a sea." So let us be optimistic.

But optimism, qualified or contrived, does not give us the mental peace that grows out of a satisfied mind. The unsatisfactory track record so far of our democracy robs our mind off the peace we are entitled to. Such a mental disquiet impels us to look deep into what has really gone wrong in our democratic performance, and why we are not being able to have unqualified optimism even after such hard earned satisfactory democratic election.

To start finding out answers to such questions let us first return to the already raised issue of appropriateness of the Western model of democracy to the Bangladesh peculiarities. Let me refer to the Gandhian concept of democracy for driving home my own point of view. Gandhi confessed that he was "a born democrat." But he made no secret of his own paradigm of democracy, which ran counter to the

political philosophy was autonomy assertion vis-a-vis Western dominance. This did not mean total rejection of the West or everything Western, but adaptation of the same to the local peculiarities. The first generation African nationalist leaders and intellectuals did the same thing when they adapted socialism to African tradition and crafted the hybrid African socialism in the 1960s, which was very different from socialism elsewhere. Their successors did the same thing in the 1990s when they came up with the model of African democracy. That both African socialism and African democracy failed to mature has been mostly because of the conspiracy of the global masters who had stakes in Africa's dependency status. But ingenuity and innovativeness of the African leaders remain commendable. Unfortunately, we have not had any such endeavour for commendation. We may be politically decolonised (that too in a very limited sense), but remain intellectually colonised. But we need intellectual autonomy and independence to make democracy functionable and functioning in our context.

The circumstantial imperative is to produce and indigenous version of the foreign thing called democracy. Apparently, this might be a tall order, but certainly doable. But we need right brains under right leadership. We have both, but not in the right place. We have mostly wrong brains



ANISUR RAHMAN

spawns dysfunctional politics is what concerns us most. Another question of no less concern, but rarely addressed in Bangladesh, which is found to occupy imagination of thinking minds in many parts of the Third world, is to what extent the Western paradigm of democracy fits into the Bangladesh environment. It sounds quite pompous when we are found to smugly claim that ours is the Westminster (very few politicians can pronounce this word correctly) type of democracy.

Democratic politics has from its inception been a pluralist construct, and, as such, competitive. The corollaries of this construct are pluralist ideas and policies for getting to power; and also pluralist ideas and competition for delivering public welfare. But an aberration of such a construct as obtaining in the Bangladesh scenario, is competition plus confrontation for getting to power, and competitive resilience to stay put in power. Although politics as a process is an art of compromise for the greater interest of country and people, there are leaders known for their combative uncompromising attitude (for the sake of party and personal interest); they are indeed endowed with such honorific titles as the uncompromising leader. But rhetorics do pour in abundance justifying that such a stance of leader/leaders is for the sake of country and people. Little do these politicking souls realise that such a stance goes against the very spirit of politics and that of democracy.

it must be accepted that democracy has had its chequered career, and travelled a very bumpy road in this country. The track-record so far is not a democracy with a sure and stable basis. It would thus be wrong to call Bangladesh a democracy, but it is certainly fair to call it a democratising country. The institutionalisation of democracy is a long drawn out process and defies quick fixes. Even then we have to be sure of a perfect beginning at one point, and this is what we are yet to be sure of. Back in 1972, we did have a promising beginning; but after some time, everything relating to the progress of the democratisation process seemed to have gone awry. And, then, we have had at least two more new democratic beginnings, in 1991 and 2008. The latter beginning was most tortuous and tormenting, as it had to be preceded by the two year long spadework by a constitutionally questionable caretaker administration (the constitutional spell for such an administration is ninety days). The election was unprecedented for the peace and calm in which it was held, the percentage of voter turnout, and, finally, the absolute majority garnered by the winning combine called Mohajote. The election was also remarkable as it dealt a crushing blow to the anti-liberation and obscurantist political elements. But what about the prospect of a pluralist democracy that rises above political divisiveness? Well, it would be too early to make any specific comment by way of answering this

Western model, but which was in congruence with the peculiarities of his India. He rejected the Western democracy for its two outstanding negative features. First, corruption and hypocrisy go hand in hand in such a democracy. Second, such a democracy, if applied in India, would be an imposition from without. He insisted that the Indian democracy must "come from within." His alternative paradigm of democracy was "complete identification with the poorest of mankind, longing to live no better than they, and a corresponding conscious effort to approach that level to the best of one's ability ..." Such a concept of democracy might appear to many to be abstract or abstruse. But Gandhi did have strong fact based logic to sound opposition to the Western democracy. The modern Western democracy had its beginnings under the aegis and sponsorship of the nouveau riche middle class. As this was the entrepreneurial class hypocrisy and corruption became concomitant features of Western democracy, and this was why Gandhi was mainly opposed to this democracy and its importation into India. On the contrary, his was a construct of democracy that had both top down and bottom up structural features in tune with the tradition handed down through ages.

It would be a facile generalisation to call Gandhi anti-modern, anti-West, and even xenophobic; he was, in fact, an autonomist. The core of his

and wrong leaders in the right places. Wrong brains and leadership make right places wrong and deliver wrong goods to the detriment of national interest. The imperative is to devise the right strategy to respond to this challenge. Experience suggests that the present politics and whatever sham democracy we have does not put right brains and leadership in right places.

To turn political divisiveness into political pluralism is the job of the right type of political leadership. If political divisiveness culminates into political confrontation to the detriment of democratic functioning we have to admit that this is because of wrong leadership working in tandem with wrong brains.

Pluralism as a democratic phenomenon suffers a severe setback in a political milieu wherein the rule is winner takes all. In fact, this is nothing but majoritarian arrogance, something like an anathema to the democratic spirit. In a democratic governance system it is not only the party / parties in power that governs; the opposition party / parties also have share in governance. In Britain, for example, the opposition in parliament is officially called 'Her Majesty's Opposition' in tandem with 'His Majesty's Government.' I think both government and opposition of ours have a good deal to learn from this original Westminster model.

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DHAKA MONDAY FEBRUARY 23, 2009

Secularism to pluralism and beyond

Dr. FAUSTINA PEREIRA

WE have undeniably opened a new chapter in our national history. In the early readings of this chapter citizens are still sufficiently buoyant to expect that the leaders that they have elected to office will be able to take the bold and necessary steps to help this nation of ours, derailed so many times from its core, to make its way back to its founding principles of democracy, socialism and pluralism. For the Government the room for error of judgment is little and, as ever, the trick remains in navigating the cross-roads of choices between myopic, petty politics and keeping promises to the nation. For this Government the task is even more onerous as the promises they are pledge-bound to keep are those that define who we are as a nation.

The recent resolution unanimously passed in Parliament calling on the government to ensure immediate trial of the war criminals is a momentarily positive sign of a nation trying to correct the misguided trajectories in its path to its core values. This is a very important first step in healing the open wounds of a people long denied recognition of its own tragedy. However, I would like to propose that as we go deeper into the process of correcting injustices and seeking just retribution we must also broaden our horizons further and take up the larger exercise of healing fissures amongst ourselves as a citizenry. Let us not only limit ourselves to the immediate mission of bringing to justice the Jamaat-e-Islami as a political entity and the war criminals as individuals for their roles in our liberation war. The road to social justice is much longer. We need to repair the damage of four decades of exposure to propagators of an intolerant, ghetto-driven and supremely egotistic ideology which has held all religious, cultural or different propositions other than their own to be epistemologically illegitimate. Let us begin the conversation of how we can bring back to the table of citizenship all those who have been denied their rightful place on it. I propose we start by revisiting our Constitution.

Out of the four pillars of the Bangladesh Constitution that define our character and the principles we



stand for, democracy, socialism and nationalism have each in their own ways been battered and challenged. But it has been the high ideal of secularism that has suffered the most direct onslaught time and again, not least through the unforgivable act of its deletion from the Constitution. Reinstatement of the provision of secularism in the Constitution as an immediate corrective measure is vital. I would like to caution however, that such reinstatement would only be a necessary but not sufficient first step in the larger scheme of nation building. Secularism is but an enabler towards the more wholesome exercise of pluralism. It is the first step in a process that goes beyond mere tolerance of differences and pushes us towards an active knowledge and embracement of our differences.

The notion of secularism globally has taken on a much fuller meaning today than when we espoused the uniquely Sub-continental understanding of the term to mean equal distance from and equal respect to all religions. We need to move beyond a rudimentary philosophy of 'live and let live' to an active encouragement of plurality. In other words, given our historical baggage on communal politics, while secularism should and must be espoused by the State as a principle of governance, we the citizens must make an active attempt to open up spaces to cultivate a truly pluralistic existence for ourselves. Our national and geo-political reality today requires us to embrace tools of inclusion and inculcate an active engagement with diversity whether on lines of religion, culture, ideology, class, hierarchies or

narratives. It demands for us to move beyond a sterile understanding of equi-distance, a principle which ultimately works to further entrench lines of distinction while doing little to pick up the threads of a common humanity.

Another important step in our pluralist exercise should be to take a very close look at the various channels of information that influence our opinions, and form the minds of young citizens. We can critically look at the educational materials in schools and institutions of learning. A methodical uprooting of divisive messages that contaminate young minds, must be followed by an active infusion of an appreciation of diversity. There needs to be a systematic flow of messages of interdependence and cooperation as integral to national and community develop-

ment. We must take up a national challenge to celebrate differences across and within cultures, religions and ideological camps without abandoning the things we consider essential. Alongside this exercise we need to take up once and for all the task of putting up a pedagogical challenge to the Maududian philosophy that has infected the thinking of generations since the 1940's and encouraged anti-development, unconstitutional forces to relegate women, religious and cultural minorities to second class citizenship. But for all of this to happen, we each need to pick ourselves up, put our best foot forward and join in our nation's healing march forward.

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Can Speaker be his own man?

MUHAMMAD NURUL HUDA

THE primacy of institution building in our fledgling democracy could hardly be overemphasised. In fact, the country's march towards fuller democracy has stumbled in such destabilising frequency that the significance of build-



ing and nurturing parliamentary institutions has receded into the background, if not perilously lost sight of. Now that a fresh democratic journey has commenced with high hopes for qualitative improvements in all segments of national life, one can reasonably expect that the institutional reforms of our legislative organ would receive serious attention.

Concerned citizens and optimists would like to believe that the apex institution of Speaker of the Parliament should be sufficiently strengthened and restored to its rightful dignity. Since our Parliamentary democracy is patterned on the Westminster model, it would be pertinent to have a close look at the office of Speaker of the House of Commons.

"The Speaker of the House of Commons is the representative of the House itself in its powers, proceedings and dignity..... As a symbol of his authority he is accompanied by the Royal Mace which is borne before him when entering and leaving the chamber and upon State occasions by the Serjeant at Arms attending the House of Commons, and is placed upon the table when he is in the chair".

Coming to specifics, it may be noted that in the House of Commons, in debate all speeches are addressed to the Speaker and he calls upon Members to speak - a choice which is not open to dispute. "When he rises to preserve order or to give a ruling on a doubtful point he must always be heard in silence and no Member may stand when the Speaker is on his feet". "Reflections upon the character or actions of the Speaker may be punished as breaches of privilege". Further, "His action cannot be criticized incidentally in debate or upon any form of proceeding except a substantive motion".

One can thus see that the office of Speaker of the House of Commons is placed on a very high pedestal. However, one must hasten to add that the "confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure" there. In England many conventions exist which have as their object not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognized.

In England, the "Speaker's rulings, whether given in public or in private, constitute precedents by which subse-

quent Speakers, Members, and Officers are guided. Such precedents are collected and in course of time may be formulated as principles, or rules of practice. It is largely by this method that the modern practice of the House of Commons has been developed".

It may further be noted that in case of dissolution of the House, the then Speaker shall be deemed to be the Speaker until a Speaker shall be chosen by the new Parliament.

At home things are very disconcertingly different from what they are in the distant shores. The Speaker's office in our parlance has undergone considerable strains and stresses. Our Speakers have not been able to inspire the confidence of all sections of the House; and to carry them in the common objective of orderly conduct of the proceedings. No political party has been wholly free from the guilt of gross misconduct in one parliament or the other.

To discerning observers it would appear that the practical difficulty that our Speaker faces consists in the fact that his long association with his own political party does not actually permit him to shape off the relationship with his party just after he has been elected to

the high office of the Speaker of the House. Told differently, the Parliamentary system in our country has not yet matured. The emotional attachment to Speaker's party asserts itself

Critics say that the apparent neutrality of our Speakers have rather served the party ends than the institutional interests of our Parliamentary system. Further, the Speakers by the fact of their associations with their parties become ambitious to seek the pleasure of the party High Commands with a view to getting coveted berths. It is, therefore, necessary to analyze the root causes as to why our Speakers are unable to inspire the confidence of all sections of the House.

A considered view is that in order for the Speaker to be regarded as the accredited representative of the House, he has to formally denounce membership of the party to which he belonged. One has to remember that the principle in Great Britain - once a Speaker always a Speaker - has no relevance in our political system. Our Speaker, upon his elevation does not sever all his connections with the party.

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DHAKA MONDAY FEBRUARY 23, 2009

Towards a functional Jatiya Sangsad

DILARA CHOUDHURY

THOUGH the concept of nineteenth century sovereign parliament, which was to govern the polity, has undergone a profound transformation giving rise to the dominance of the executive in the context of the complexities of modern state, its role and significance in making the government behave has not diminished in any way. In a parliamentary system, its importance assumes a different dimension, in which the executive is drawn from the Jatiya Sangsad, and thus, making it the only forum for discussion, negotiation, compromise as well as conflict resolution. But even after thirty-eight years of independence, a functional parliament that was to ensure effective governance in the country has remained an elusive goal.

Hopes were, however, kindled when Bangladesh, after years of experimentation with presidential system, reverted

out by Fakhruddin-led caretaker government in the electoral system and the people expect a qualitative change in the style of country's politics with the AL having been voted into power on a mandate for change. And that qualitative change can only take place if the major political parties decide that this time round they would make the parliament functional. We now need a parliament, which is open and dedicated to its traditional legislative, representative and oversight functions -- a parliament where opposition is recognised and national issues debated in a constructive fashion, a parliament where citizens can also take part in the legislative process.

Once elected the MPs must demonstrate their sense of duty and responsibility by attending the parliamentary sessions on regular basis. Despite the stuttering start to the first session of the parliament owing to opposition BNP's walkouts on the question of seating

the party in the context of Article 70 of our Constitution. At present the MPs cannot vote, on any issue, against the party which nominated him/her. Although it was incorporated in the constitution of 1972 to prevent 'horse trading' and instability, but the fact of the matter is that nobody can deny that its consequences have been far-fetched. Since the provision circumscribes the independence of MPs, they do not feel encouraged to participate in the parliamentary proceedings. This may be one of the reasons for Quorum crisis in the parliament. In order to have the MPs fulfil their designated role their independence should be restored by amending Article 70. It could be amended whereby the MPs would not be allowed to vote against the party on certain issues like 'vote of no-confidence' but would be free to vote against the party on other issues. We can draw the example from Pakistan's constitution which forbids the MPs to vote

have termed as "authoritarianism from within," which inhibits the tendency to treat the opposition on equal terms and discuss issues on their own merit. Building of responsible opposition was thwarted repeatedly due to this intolerant attitude of the ruling party and their "arbitrary decisions on important issues bypassing the legislature and development of an intolerant attitude in accepting divergent opinions of the major opposition forces and government back-benchers." Opposition, on the other hand, demonstrated their inability to come up with well prepared alternative national policy programme and eschew dependence on the personality cult of the leaders.

People of Bangladesh do not want to see pre-1/11 scenario in the parliament. Both ruling and opposition must reach a consensus about how they would build a responsible opposition. In order to reach that goal barriers like not allowing opposition an opportunity to speak and take part in parliamentary proceedings should be done away with. More time should be given to the opposition, like time to introduce Private Members' Bills and opposition's day in the parliament. It is to be noted that usually Private Members' Bills have little or no chance of being enacted but the opposition MPs, in this event, get a chance to express their opinions in "either criticising the government's programmes or publicising new proposals." They are used for tactical purposes to influence the details of government bills or to press the Cabinet for action. All these undoubtedly undermine the legislature's oversight capacities to a great extent.

The role of the Speaker is highly important. He/she must play a non-partisan role. The difficulty is that the Speaker being a partyman has been unable to play a non-partisan role. How to make Speaker's role non-partisan? We may follow the example from Great Britain where the Speaker, upon his election resigns from the party on the understanding that, in future elections he would return uncontested. Neither ruling party nor the opposition would contest his/her seat. In our culture, such a proposition is not likely to be feasible and in such case, deputy speaker may be elected from the opposition. It should, however, be kept in mind that though the main task of building a responsible opposition lies more with the ruling party but it lies with the opposition as well. The opposition must also demonstrate their willingness to cooperate with the ruling party on important national issues, establish a working relationship between the ruling party leader and the opposition leader. They must also demonstrate their ability for an alternative government by announcing national policies and a shadow Cabinet. They must also stick to constitutional politics in order to resolve any conflicting issues, and under no circumstances, indulge in the culture of parliament boycotting, forced hartals and violence.

Another important criterion for a functional parliament is to have a strong committee system. It is common knowledge that the more effective the committee system the more efficient is the parliament. Again, the history of committee systems in the Fifth, Seventh and Eighth parliaments have been very disappointing. The weaknesses of the committee systems lay with its composition, irregular meetings and tendency of the House to ignore the committee recommendations. Its oversight activities had been marginal and it needed a thorough overhauling. It was, however, commendable that important bills were sent to Select Committees but its Standing Committees, especially Public Accounts Committee and the departmental committees were not efficient enough to keep a check on the executive. The PAC was chaired by a Treasury Bench MP and the concerned ministers including the non-MP ministers

headed the departmental committees. The fact that the non-MP ministers had been denied voting rights was not sufficient to make these committees fulfil their designated task. Most departmental committees were busy with micro-level management. All throughout the existence of the Fifth, Seventh, and Eighth parliaments no significant improvements of the committee took place. On the contrary, the dominance of the executive undermining the oversight capability of the legislature continued unabated.

The following factors are responsible for non-effectiveness of the committee system in Bangladesh legislature: (i) dominance of the executive; (ii) total lack of professional support; (iii) faulty composition of the committees; (iv) irregular meetings and poor attendance; (v) partisan sentiments of the committee members; (vi) tendencies among the ministers and agencies to ignore the committee recommendations; (vii) lack of cooperation by concerned departments and bureaucracy.

It is evident that the non-effective committees during our fifteen years of democracy, to a large extent, reduced parliament's oversight role. As such, in order to make the Ninth Parliament functional an effective committee system must be established. It is encouraging though, both parties have a consensus with regard to having an effective committee system in order to make the parliament functional. The following steps should be taken: (i) opposition chairs the committee; in this context the chairmanship of PAC is vital. It must be headed by an opposition member. To establish full parliamentary control over public expenditures its PAC also needs to be recognised with an executive arm similar to the General Accounting Office attached to the US Congress. The CAG's office, keeping in line with British system, should be made independent of the executive branch, and responsible to the legislature; (ii) composition on the basis of proportional representations; (iii) Quorum on the basis on one-third presence; (iv) women duly represented in the committees; (v) frequency of committee meetings; (vi) Committee involvement in the budgetary process; (vii) due attention by the executive on committee reports; (viii) committees providing timely reports; (ix) public and media access to committee meetings and minutes; (x) Ministers appearing before the committees; (xi) professional and technical support for the committee members. In order to conduct thorough departmental investigations, the committee members must be provided background information, reports etc. The legislature must have the power to demand information from the executive because, without such knowledge, committees are powerless in moulding law, and establishing effective control over bureaucracy; and finally (xii) training of MPs on committee functions.

All said and done, the ruling party has a gargantuan task ahead if they really want to make the parliament functional. The party in opposition would have to share that burden as well. Besides translating the above strategies into actions, the factor which would make parliament effective is the democratisation within the political parties. Unless leaders are deferential to public opinion, the legislature's main task, i.e. to check the arbitrary actions of the executive, would remain as elusive as ever.

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The opposition must also demonstrate their ability for an alternative government by announcing national policies and a shadow Cabinet. They must also stick to constitutional politics in order to resolve any conflicting issues, and under no circumstances, indulge in the culture of parliament boycotting, forced hartals and violence.

back to parliamentary form of government in 1991. The parliament or the Jatiya Sangsad was constituted through a free and fair election, and the body, for the first time demonstrated its ability in conflict management. The issue of presidential system vis-à-vis parliamentary was resolved through usual legislative process.

That raised the hope that in the context of nascent two-party system, with the emergence of a strong parliamentary opposition, the parliament would effectively begin supervising the executive and curtailing its potential excess of power. Yet, during the last fifteen years of democratic order such expectations remained unfulfilled due to a host of factors beginning from lack of quorum during parliamentary sessions to total boycotting of parliament by the opposition.

After two years of rule by the army-backed caretaker government the country has seen a smooth transition to democracy through a parliamentary election held on 29th of December 2008. A number of reforms have been carried

arrangements and their disappointment over deputy speakership issue, there are hopes though that the opposition will have taken their place in parliament and started playing their part in it by the time this article sees print.

As a precaution, two things should be done: (i) reduce the number of days from 90 to 30 days after which a member would lose his seat; and (ii) prevent the MPs from taking part in development work at various tiers of our local government, especially at the Upazila level. They must realise that their main task are law-making and scrutinising the executive to make it responsible to the people. Some have argued that the MPs need to look after their constituents which call for their involvement at local level development work. But this is a misnomer. Surely they need to look after their constituents' interests but that task should be performed by highlighting their interests in the relevant national laws.

The second very important issue, which needs to be discussed and resolved, is that of MPs' dependence on

against the party on certain issues but can use their freedom on other occasions. Even in Great Britain where the MPs are most free and vote according to their conscience and the interests of their constituents, they have some limitations on their freedom. Once the party whip is on, they need to vote according to party line. Amendments of Article 70 can be made following the examples of these two countries.

Third very important task that lies ahead for a functional parliament is to have a strong and effective opposition. Numerous democracy theorists have pointed out the importance of this vital institution. Unfortunately, the political parties' role has been very dismal in this regard. According to Robert Dahl, the less the barrier in a political environment they better the chances of a growth of a constitutional opposition. However, it has been noted with discomfort that in Bangladesh parliament the barriers for the opposition have been numerous. One big factor is the cultural trait in its political environment of what the political anthropologists

DHAKA MONDAY FEBRUARY 23, 2009

Article 70 (1): Impediment to accountability

G. M. QUADER

FOR quite sometime people of Bangladesh had been looking forward to having a representative government elected through a free and fair election in a neutral political environment. The election to the ninth parliament took place on the 29th of December, 2008 fulfilling that aspiration. The results showed a massive victory for Awami League-led grand alliance known as 'Mohajote' having absolute majority with a wide margin against its opponent four-party alliance known as 'Chardoliojote'.

To many the result was unexpected, especially the margin of difference was considered too big. But, if the mood of the people could be felt properly before election it was more or less obvious. For the second time in recent history of Bangladesh the peo-

Bangabandhu Mujibur Rahman spearheaded that movement. The national parliament election of Pakistan held during that period in 1970 delivered a landslide victory to the Awami League in this part of Pakistan, now Bangladesh (AL won 167 seats out of a total of 169 earmarked for the then East Pakistan). The movement ultimately turned into war of independence which created independent Bangladesh as a consequence in the early seventies.

Unfortunately, the dreams of the people for a change of being free from the blight of poverty, discrimination, fundamentalism or bad governance remained unfulfilled after the lapse of so much time since independence. Many put the blame of the failure to the killers of Bangabandhu Sheikh Mujibur Rahman, the father of the nation who was assassinated on the

were to blame for the failure.

Instead of being the vehicle of advancement of the interest of people and the country politics started to be perceived as a means of grabbing power by hook or by crook by a group of politicians. Politicians were considered as people who tended to enjoy the benefit of power by abusing it at random and trying to perpetuate power by any means, even unethical and illegal. Politics was found to be a factor for disruption of normalcy in the day-to-day life of people; was seen as a cause for terrorism, destruction, untimely death, corruption, partisan attitude and a hindrance to economic development and prosperity.

A strong desire surfaced within people to have a radical change again, this time, to the entire political culture that existed. People wanted this in order to fulfill their aspirations

appointed after promulgation of state of emergency took up some institutional and legal reform measures to ensure free and fair election. In addition, they initiated some measures to curb corruption, improve law and order and governance in line with the aspirations of people.

When the schedule for the postponed 9th parliament was declared again people by and large aspired to have the change or reforms continue by the next political government. It was widely believed that the grand alliance or 'mohajote' would be more committed towards obtaining that goal. It may be because grand alliance gave leadership to the movement in the first place prior to 11th January. It may also be for the belief that AL the main component of grand alliance historically has the reputation to be in movement for realisation of people's demands. People's confidence consolidated further with the inclusion of Jatiya Party in the AL-led fourteen-party alliance to form the grand alliance which then came to underpin a much stronger electoral prospect.

In order to fulfil the aspiration for change, some basic changes are needed now to be incorporated in the overall governance system in the first place. Our constitution has certain contradictions. At the core of these seems to lie Article 70(1) which bars floor crossing by an elected member of parliament. In case, he/she votes against the decision of his/her party from which he/she has been elected he/she would lose MPship as per the said provision of the Constitution.

Article 55 (3) says, 'The Cabinet shall be collectively responsible to Parliament'. This provision is made to ensure accountability of the government to the people on the floor of the parliament through the elected representatives of the people or MPs. This provided the parliament members belonging to both the ruling party and opposition with the responsibility of ensuring accountability of the government through parliament.

But, in our existing political culture, leader of the ruling party becomes leader of the ruling party's parliamentary party and head of the government. So ruling party MPs who constitute the majority in parliament are to abide by the decisions of the government and provide support to all actions of the government on the floor of the parliament. That guarantees approval of all proposals put forward by government in parliament with captive support of majority MPs. Parliament's authority thus becomes too weak compared to government's power to ensure proper accountability of the government.

For the same reason provision of no-confidence motion against the

government as per Article 57(2) which forces the Prime Minister to resign in case he/she loses support of the majority in parliament cannot be made enforceable in real-life situation.

Article 70(1) thus creates an imbalance of power between parliament and government making government all powerful without any scope for check and balance by the parliament. Parliament is the institution which is supposed to enforce accountability on the use of power by the government. In our case that objective is not fulfilled.

The provision was incorporated in the first place to stop horse trading of MPs or frequent change of side by MPs on consideration of personal interest. Without this provision government could become vulnerable and unstable. Moreover, the opposite may also happen in which case opposition MPs may side with government all the time on receipt of personal benefit and skip their role of making government accountable. Thus, a sweeping abolition of Article 70 (1) might not lead to a practical solution to the problem.

An alternative proposal could be perceived to amend the Article 70 (1) to have a new type of anti-floor crossing provision in line with what exists in the Indian constitution. In the new provision any group of MPs elected from a party may vote against the party line or cross the floor if they can constitute one-third (33 percent) of the total numbers of MPs elected from that party.

It would make the government party comparatively safe as defection would need to be in a group consisting of a considerable number which could be difficult to muster. The government need not buy support from opposition MPs and would be discouraged to do so as this may also create grievance among the ruling party MPs. Both stability of the government and the accountability of their activities could be reasonably ensured through parliament by adopting the proposed option.

Politics in our country has taken up the role of a business generating profit at the cost of the peoples' interest because of the existing governance system. This allows government to abuse power, authority and wealth in the absence of any effective means of accountability. All other evils surface as a consequence frustrating the aspirations of the people. In order to fulfil the expectations of the people the priority should be to put an end to the scope of autocracy in our system by making necessary changes in the Constitution.

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The constitution of the People's Republic of Bangladesh
(As modified up to 17 May, 2004)
Article: 70
Vacation of seat on resignation, etc.
(1) A person elected as a member of Parliament at an election at which he was nominated as a candidate by a political party shall vacate his seat if he resigns from that party or votes in Parliament against the party. Explanation. - If a member of Parliament-
(a) being present in Parliament abstains from voting, or
(b) absents himself from any sitting of Parliament, ignoring the direction of the party which nominated him at the election as a candidate not to do so, he shall be deemed to have voted against that party.
(2) If, at any time, any question as to the leadership of the Parliamentary party of a political party arises, the Speaker shall, within seven days of being informed of it in writing by a person claiming the leadership of the majority of the members of that party in Parliament, convince a meeting of all members of Parliament of that party in accordance with the Rules of procedure of Parliament and determine its Parliamentary leadership by the votes of the majority through division and if, in the matter of voting in Parliament, any member does not comply with the direction of the leadership so determined, he shall be deemed to have voted against that party under clause (1) and shall vacate his seat in the Parliament.
(3) If a person, after being elected a member of Parliament as an independent candidate, joins any political party, he shall, for the purpose of this article, be deemed to have been elected as a nominee of that Party.]

ple desired to have a real change. Whenever people of Bangladesh aspired for a real change they went wholeheartedly to achieve the same. The voting pattern reflected the desperation of the people and the concentration of support towards the side they considered more apt to implement the change.

People of Bangladesh (or the then East Pakistan) first dreamed of a change during end sixties. They waged a movement for liberation, to become free from the curse of poverty, discrimination, religious fundamentalism and misrule. AL under the leadership of its legendary chief

15th of August, 1975. The killers and the subsequent rulers made all out efforts to frustrate the fundamental principals established as a result of independence on the basis of which people's aspirations were to be met.

Democratic rule was re-established after a mass movement in 1991. Unfortunately the subsequent governments could not provide the level of good governance and social justice in line with the expectation of the people. They failed to ensure rule of law, equitable distribution of wealth, poverty-free and discrimination-free society. Political leaders operating under an opaque political culture

through proper politics and political leadership. People desired to be liberated from poverty, corruption, terrorism, religious fundamentalism, discrimination and from overall bad governance through a changed political culture. Prior to the national election for ninth parliament people waged a movement to have a free and fair election with a view to achieving all the above objectives in phases. The AL-led grand alliance provided leadership to that movement.

Subsequent to that movement state of emergency was declared on the 11th of January, 2007. The interim care-taker government that was

Speaker his own man

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He keeps his party membership to seek re-election after a period of five years. Therefore, the question of political ties of a Speaker has always been agitating the opposition, particularly regarding the impartiality of the office.

It would be pertinent to recollect that the British institution of Speaker is the product of evolution of the political struggle in the different phases and this struggle led to have its own traditions and conventions. The

British Speaker firstly was a king's man, then a party man and lastly became an impartial, non-political presiding officer after a severe political struggle. In the sub-continent including Bangladesh this has not been the case. One would not be far from right in saying that the British Institution of Speaker was transplanted in our situation without the benefit of behavioural appropriateness and necessary modifications.

Our political parties in power have

not desired to follow British traditions, especially of a candidate for Speaker being selected by 'Consensus Compromise' and not marked by disagreement between the opposition and the government and that his seat from constituency not being contested in the general elections so as to ensure his re-election for the Chair subsequently and to inspire the confidence of all members of the House. The introduction of such tradition will empower the Speakers to discharge

their duties creditably and we will perhaps not see the unwarranted walk-outs, rows, shouts and disobedience on the floor of the House.

The office of Speaker needs to be de-politicized and must not be regarded as an office of patronage. Our legislators need to be well-versed in parliamentary norms and decorum. Like his British Counterpart our Speaker should be entitled to a fabulous pension after retirement so that he is content and does not need to

aspire for any political post. This is expected to significantly ensure his neutrality.

Ours is a written Constitution and therefore, our Speakers must scrupulously adhere to the spirit of the provisions of the constitution. The Speaker should neither be the Government's man; nor the opposition's man but the House's man.

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The writer is a former Inspector General of Police.