

An Open Letter to the Chief Adviser

By Dr. Mozammel H Khan

HONOURABLE CHIEF ADVISER:

This is an open letter to you from an ordinary citizen of your beloved country; the country whose stewardship at a very crucial juncture has been conferred on you, partly through an appropriate constitutional process and more importantly through an outright violation of it. Your acceptance of the Presidency was unethical in the first place, albeit not unconstitutional, since you very well knew how your predecessor, a man whose very electoral riding you were born, was ousted from the office only because he tried to become the President of the Republic rather than to serve the interest of the party that elected him. Since your election to the highest position of the Republic you faithfully served your benefactors, no so much the nation which you were oath-bound to serve.

Without going back too much in the past, when you were direly ill last year, the whole nation stood behind you and the constitution vis-à-vis an alleged attempt by the then ruling alliance to remove you from the Presidency. Rumours of all sorts floated around the country about your health and impending and conspiratorial move to show you the door of the Bangabhaban. Almighty God, the prayers of millions and a mountainous sum from the national exchequer, which a retired teacher cannot afford to spend, helped you to regain your active life. However, as the elected President of the Republic you never tried to dispel any of the rumours that hovered around the land for many months. Since then all your activities have been shrouded in secrecies and which has been transformed into averred conspiracies after your assumption of the Chief Adviser (CA) in violation of the constitution which you are oath-bound to defend. The constitutional stipulations in this respect are so clear that one does not have to be a Kamal Hossain of constitution or a Harold Lasky of political science to comprehend them. This offence is an impeachable one as clearly stipulated in article 52 (1) of the constitution which says, “The President may be impeached on a charge of violating this Constitution” by the parliament.

Honourable Chief Adviser, you as the guardian of the constitution never tried to explain to the nation the so-called ‘crisis’ as repeatedly outlined by your benefactors that prompted you to skip, not one but three provisions of the constitution, to self-assume the responsibility of the CA at such a critical juncture of our nation. In fact, the political alliance that opposed your assumption of CA displayed their statesmanship by not rejecting you outright; instead they gave you the opportunity to prove your neutrality in creating a level playing field for the potential participants of the ensuing election. This was a historic opportunity for you to prove that a partisan person can rise onto the occasion, specially at the fag end of his life and career, and conduct himself to uphold the letter and spirit of the CTG. Contrary to their expectations, you have shrouded yourself in secrecy (along with your benefactor appointed staff without any shred of accountability and transparency) and has been carrying out the acts of alleged conspiracy one after another to implement the blue print of your mentor bypassing the council of advisers, all whom collectively constitute the CTG . Your office bluntly misled the nation

by circulating the news that Justice K M Hasan was ill when he, in fact, already expressed his inability to take up the responsibility of CA. You blinded himself with such a degree of inclination toward your mentor that your actions only proved that you are more catholic than the Pope. Your predecessor destroyed the sanctity of every organ of the State, including the administration and judiciary, by unprecedented politicization putting the partisan and incompetent people in the constitutional positions.

Never before in the history of this country, was the Election Commission manned by a group of partisan, incompetent and people with absolute moral bankruptcy. Their ethical standard is so low that they even lack the articulation to hide their partisan feelings. “I did not care for the *Sarker* (government)” is one of the utterances of the self-declared acting CEC which clearly reflected the stock he belongs to. Over the last one year or so, these people were not able to come up with a flawless voter list, a minimum constitutional pre-requisite to hold a free and fair election. Instead of alleviating the situation, you have accelerated its sliding by appointing two more birds of the same feathers by means, which truly fits the characteristics of conspiracy, absolutely keeping your team of advisers in darkness and without taking the political parties those who have been spearheading the campaign for its reconstitution into confidence. You as the CA have put the last nail in the sanctity of that constitutional body.

The aggrieved political leaders filed a writ petition in the superior court challenging the constitutional legality of your assumption of the chief of the CTG, a conventional avenue in any Republic where rule of law and constitution prevail. After due hearings, when the judges were about to deliver their ruling, the Attorney General (AG), an appointee of erstwhile government and whose removal was a prime demand of the opposing political parties, personally delivered an order on a plain paper from the Chief Justice (CJ) staying the delivery of ruling, an unprecedented phenomenon in the country’s legal chronicle. If the person occupying the highest constitutional office of the Republic violates the constitution, where else other than the highest court of the land a citizen could seek redress? The broken doors and windows of the Supreme Court premises could be repaired rapidly, but the justice which was denied its normal course, in an issue of such national importance, could be beyond any redemption.

That was not the end of the story Honourable CA. It was under own approval as home minister, a ludicrous charge of vandalism has been filed against some of the reputed legal experts that include personalities like Dr. Kamal Hossain, Barrister Amirul Islam and Barrister Rokonuddin Mahmud. These are people whose names and fames are not confined within our national boundaries and yet you as the chief of ‘neutral’ CTG did not hesitate to instruct authorities to proceed with such a disgraceful act. Your supporters very often utter the phrase, “law will take its own course”. Law is not a human being with hands and legs. It is the people with ulterior motive are either re-coursing it or obstructing its normal course to achieve their evil designs. When HM Ershad expressed his desire to join the four party alliance, one after another the cases against him were dismissed by the court in the pretext that ‘they did not carry any merit’. As soon as he reversed his position, a ten-year old case was resurfaced in the high court and a verdict

was instantly proclaimed by an extremely controversial judge whose confirmation was signed by you overruling the otherwise recommendation of the chief justice. Is it the way the law is taking its own course, honourable CA?

Honourable CA, only a few months ago your mentor was about to discard you under the pretext of physical incapacitation. Yet you, without possessing any administrative experience or personal clout, not only self-assumed the chief of the CTG, but kept 14 important ministries under your control while letting a few of the highly talented and experienced advisers managing poultries and fisheries. Those ministries were key institutions whose stewardships play the most vital role in preparing a level playing field for a free and fair election, the principal function of CTG. Over the last 65 days, through your actions and inactions, you have played hide and seek with the countrymen and the advisers, including an extremely sensitive issue of army deployment. A few of them had to take the ultimate step of declaring public no confidence on your leadership by resigning from their responsibility. These were the people who attained the top of their respective professional dome, not by any one's favour, rather through their own talent and dedication to the service of the nation. How was it possible that, you, incidentally, as the single most powerful individual this Republic has ever seen, backtracked from a so-called 'package deal' supposedly signed by you along with ten other advisers? The citizens of the Republic, whose very future you are controlling with single hand, have every right to know the content of the package and you certainly owe an explanation to the nation of your backtracking from it.

The speeches you delivered (read is more appropriate) at the wee hours of night did neither help the nation dispelling their mistrust on you nor did it help them to lessen the agony through which they are compelled to driving through. In many cases, it seemed that you did not have any idea what you were reading through. Your utterance that the 'the nation is now under Presidential form of government' indicated your naivety of what you have been talking about or your warning such as "comments from some quarters on my personal staff are undesirable and amount to interference in the functioning of the State" could have taken even Hitler or Mussolini aback.

The changes that you have made in the administration are nothing but replacing the soft core adherents of your mentors by the ones with hard core commitment to bring them back to the helm. You have devotedly completed the politicization of the every organ of the Republic, top to bottom, which your mentors, by the act of any omission or commission, might have left some voids in carrying out the much talked about 'election engineering'. There left no avenue of the for the opponents of your mentors to seek justice from any organ of the State which is under your full and vicious control.

If the views of the columnists of country's major and influential print media and the objective views of the members of the civil society as a whole are any reflections of the wishes of the people, then the decision of the mega-alliance to boycott the election to be conducted under your administration is in full tune with the wishes of nation. It is you

under the alleged remote control of your master have brought the nation to this level of catastrophe. The nation which sailed through the last 15 years of tumultuous democratic journey, through ups and downs, has been brought to brink just to meet the evil design of your mentors. The nation has already suffered much due to your failure to untie yourself from the evil designs of your benefactors. You were never destined, either through divine or democracy, to shoulder the historic responsibility that you yourself have made it befallen on you. But you have tragically failed the nation.

Honourable CA, it is still you who can relieve the nation and save it from sliding into further catastrophe. Better late than never; there is still time to go back to the constitution, which you and your benefactors are shedding too much crocodile tears to uphold and appoint a competent CA of the CTG who has to undertake the monumental task to undo the harms that you and your benefactors have done to create a level playing field for a free and fair election. The four advisers who have resigned from your team only bore enough testimony to the fact that this nation still possesses people who are guided by their conscience and fair play to propel this nation out of the impending catastrophe. Voice of the people is the clarion of God; those who listen to it, however late, find a place, however small, in history and those who fail are thrown into the debris.

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