LATE S. M. ALI

DHAKA WEDNESDAY SEPTEMBER 27, 2006

The new labour law

Why such a hurried passage?

T was a most awkward way, to say the least, in which the labour bill was passed in the parliament. Without so much going into the contents of the bill, the manner in which the bill was put up for the MPs of the ruling coalition to vote it into law has left a very bad example of our parliamentary practices. The manner adopted indicates ignoring by the government of parliamentary norms that one sees in a participative legislature, where popular consent and not steamrolling of legislations, is taken to be the norm.

A bill, which relates to the labour sector, is of immense importance to the country and one would have expected that the process laid down in the parliamentary procedures would have been invoked to elicit public opinion on this issue. Moreover, we do not know whether the views of the labourers were taken into consideration and whether labour representatives were consulted while drafting the new provisions, or while the bill was being scrutinised in the parliament.

Lamentably, the bill, made up of 169 pages, was passed in matter of less than ten minutes. Surprisingly, not even the note of dissent of the opposition legislators to the committee report was attached in the relevant document, not to speak of allowing discussion on the bill to which as many as 56 amendments were proposed by the opposition.

Not surprisingly this has caused serious misgivings in the public mind, not only because they see the parliament being turned into rubber stamp body where legislation is effected by the use of brute majority in the parliament, the new law has all the potential of creating unrest in the labour sector in the future, as we notice in the comments of the labour leaders who have rejected the new law out of hand.

The misgivings about the new labour law may not be ill founded as some of provisions may be out of consonance with the ILO provisions while some may directly affect the workers employment such as the one related to the their retirement age, among other things.

One wonders what might have been the compulsion of the government that necessitated such a hurriedly passage of a bill that affects the most important segment of our economy.

Power crisis to end by 2020!

A shocking revelation

HE other day none other than our State Minster for energy stated on the floor of the parliament, "Hopefully, there will be no crisis in the power sector after the year 2020". He further said that the power situation will begin to improve from 2009.

We are simply appalled at the revelation and horrified at the future prospects of the development of the power sector. It looks as though people of the country are destined to suffer due to power shortage not just during this Ramadan and the Eid, but also for many more years to come right through the year 2020.

We are in the meantime compelled to conclude that, particularly during the past five years nothing tangible has been done in arresting the continuous deterioration of the power generation capacity in the country vis-à-vis rising demands. The government has miserably failed to either create and activate new sources of power generation or effectively carry out the required repair and maintenance works of the existing power generation plants.

The consequences of failures go beyond the sufferings it causes to domestic consumers; it is also connected with the future of the country's economy. Proper and adequate power infrastructure is sine qua non for the development and growth of the industries. Mismanagement of the power sector has also the potential of discouraging both foreign and domestic investment. Already the inadequate power supply has taken its toll on the operation of the medium and small scale industries.

While we do not advocate Kansat like upsurge but we certainly hope that someday those responsible for putting the nation's future in jeopardy in this way through gross negligence of their duties would be brought to justice.

When the Ramadan moon goes missing . . .



SYED BADRUL AHSAN

OLITICAL incorrectness is beginning to come into matters of faith. Parliament, for all its characteristic ineffectiveness, goes into an unmistakable roll over the issue of the Ramadan moon.

And naturally too. With Muslims around the world -- and they stretch from America to Saudi Arabia to Indonesia -- already on the second day of the obligatory fast (and that was on Sunday), the Muslim population of Bangladesh keeps getting told that the moon has not been sighted anywhere in the country.

Hence, Ramadan will commence on Monday. It is a unique situation here. While previously our Muslims were a mere day behind other Muslims in beginning the fast. now they have fallen a good two days behind. You can be sure that if conditions develop the way they have so far, a time might soon come when our clerics, those who keep us behind those other Muslims. could very well inform us that we can observe Eid-ul-Fitr a day after the twenty-seventh day of Ramadan, if only to catch up with the world's other Muslims. How would that affect the lifestyle of Bengali Muslims? It is, you can bet, a good question. Now try fashioning an answer to it.

And even as you do that, you might want to inquire into the objective reality as it pertains to the observance of Ramadan this year. Quite some years ago, the Islamic

GROUND REALITIES

The fiasco over the appearance, or otherwise, of the Ramadan moon ought not to have been there at all. The meteorological department had indeed served notice that the new moon would make an appearance for a couple of minutes on Saturday, a happening that could not be experienced by the naked eye. And, naturally, the naked eye in our state of nature is quite helpless owing to the many turbulences which rush across the heavens. But why must our clerics assume, only because they have been unable to spot the moon through all those rain-clouds in our skies, that the earth's satellite did not make its expected appearance?

Foundation, under more enlightened leadership, suggested, most wisely, that all occasions of religious significance for Muslims, especially those related to the sighting of the moon, be brought into scientific uniformity with the

rest of the Islamic world.

The reasoning was simple: if the Saudis, whose monarch remains the custodian of the Kaaba, could devise a scientific method of noting the appearance of the new moon and then go on to observe the related religious occasions, what reason could Bangladesh's Muslims have not to follow the guidelines of the Makkah authori-

But, no. Here in Bangladesh we have a pretty strange, insular body known as the national moonsighting committee, whose members have traditionally remained adamant that unless they see the moon with their own eyes (and it does not matter if thousands of others around the world have already spotted it), nothing will happen.

There are now a couple of things which need to be said here. In the first place there is, in the sense of science, nothing called the appearance of the moon. The moon is always out there, in broad daylight and in the deep dark night. It is just that the power of the sun blots out the moon during the day; and

our range of vision on some nights. So all this talk of the appearance of the new moon, or otherwise, is a matter of relativity.

In the second place, the very modalities upon which the moon sighting committee operates militate against everything modern that has been coming into the Muslim world elsewhere. If Muslims outside Bandladesh decide to go by uniformity, go along with others, and observe Ramadan and other religious occasions together, it simply does not make sense for a handfu of clerics to keep Bangladesh's Muslims hostage to their own way of interpreting the way the stars conduct themselves in the heavens. And yet that is precisely what these gentlemen have been doing.

An extremely undeniable fact of life for Muslims today is the positive change that has been coming into their view of faith, and of the world, of late. You may not agree, for your own reasons, to be led in prayer by a woman preacher. Honestly though, you might sit back, relax and then ask yourself: Why not? Every preacher of the Islamic faith keeps telling you, at every available opportunity, that women hold a place of respect in Islam, that they are indeed equal to men in the eyes of Allah. That being an accepted principle, why can Muslims not have women as preachers?

And then there is this small bit about men and women not being

part of one and the same religious congregation. There are seminars on Islam in Indonesia and Malaysia where women take part with men in the academic debate that goes underway, with the result that much good comes from the interaction. In Bangladesh, unfortunately for Muslims who know all there is to know about the faith they pursue, women have carefully been kept in the shadows.

That is not the way in which you pursue faith. You cannot be a follower of a religion and yet persist in giving out all those signs which point to obscurantism. A religion is supposed to be an embodiment of the life force in an individual. It celebrates all the good that takes form and substance in men and women, something the nondescript emperor whom Pope Benedict XVI quoted last week simply forgot in his assessment of Islam.

It is that idea of good which now

It is that idea of good which now appears to be caught in a web here in this country. When the fundamentals of faith are subjected to whimsicality, as in the case of when Ramadan begins and when it ought to end, there is something seriously remiss about the system followed by those clerics entrusted with locating the moon somewhere in the sky above our heads. There are, therefore, all the taboos we need to break.

The fiasco over the appearance, or otherwise, of the Ramadan moon ought not to have been there at all.

The meteorological department had indeed served notice that the new moon would make an appearance for a couple of minutes on Saturday, a happening that could not be experienced by the naked eye. And, naturally, the naked eye in our state of nature is quite helpless owing to the many turbulences

which rush across the heavens. But why must our clerics assume, only because they have been unable to spot the moon through all those rain-clouds in our skies, that the earth's satellite did not make its expected appearance? Some die-hard, illiberal advocates of the Islamic faith might now point to the injunctions about these religious issues put forth by the Prophet of Islam in his time. Are their interpretations substantive? And there is the other reality as well which is that it is easy to see the crescent in the skies over Arabia because there are hardly any clouds obscuring the view.

In Bangladesh, weather patterns are quite removed from what they happen to be over Makkah and Madina. The moon, be it noted, does not make its appearance subject to the presence, or otherwise, of dark clouds in the sky Besides, there is the other unequivocal truth, which is that if in the land of the Prophet modern, and therefore scientific, ways of deciding when religious occurrences must take place can be adopted, who are we to take issue with them? If the Indonesians and the Malaysians and everyone else, can take the cue from the Saudis, what moral superiority withholds us from joining them? If Islam is a faith the foundations of which are based on a strict upholding of discipline, why must Muslim clerics in Bangladesh seek to opt out of such discipline?

You may or may not observe faith. You may be an agnostic, or you can even abjure religion altogether. That is your personal choice. But what you cannot accept, as you survey the history and principles of religion all around you, is the authority which some men arrogate to themselves where

an interpretation of religious principles is concerned.

ples is concerned.

Bangladesh's Muslims perform Hajj on the same day that other Muslims perform the rite. The birthday of the Holy Prophet is observed in unison all over the globe. If these occasions follow the injunctions of the Islamic faith, why must Ramadan be subjected to things of the bizarre sort? There is, in light of the scandal (for so it is) that has now arisen around the sighting of the Ramadan moon, a clear need for a rethink on the work and composition of the moon sighting committee.

Better still, all Islamic observances should be brought in line with the system which other countries with predominantly Muslim populations have been following across the years. If the centre of Islam is Makkah, it logically follows that everyone who believes he is a Muslim should base his convictions on the essentials of faith as ordained by the Prophet in the land of his birth and death. And that includes this mundane matter of spotting of the Ramadan moon in the sky.

The conclusion is, therefore, brief and sharp: disband the moon sighting committee, for if it stays there is a very real possibility of Ramadan getting increasingly truncated for the Muslims of Bangladesh. When Muslims outside Bangladesh observe Eid ul Fitr this year, their co-religionists here will still be fasting. The peculiarity of the situation is unprecedented.

One last word. If people in government do not take the word of the meteorological department seriously, if a few clerics who keep confusing matters of faith go on being pampered, then why have a meteorological department at all?

Syed Badrul Ahsan is Executive Editor, Dhaka Courier.

Election, corruption, and coup in Thailand



HARUN UR RASHID

HE bloodless coup, on Tuesday, September 19, led by 59-year old General Sonthi Boonyaratglin (the first Muslim chief of armed forces in the country), has ended the country's fragile democracy. The deposed Prime Minister Thaksin Shinawatra was in New York for the UN General Assembly session when the coup took place. This has been the 18th coup in 74 years of on-off democracy in Thailand.

It was a relief that the coup was bloodless. It brought delight to anti-Thaksin activists. In Bangkok there were scenes of women handing flowers to soldiers on the streets. Pro-Thaksin supporters have not reacted, and are waiting to see what Thaksin's plans are.

General Sonthi got the approval from the king the next day (September 20), and thus Thaksin's prime

ministership ended disgracefully.

Thaksin, a billionaire telecommunications tycoon and a former police officer with a Ph.D degree from the US, divided the nation since the flawed election in April. The election

BOTTOM LINE

It appears that the removal of the prime minister has been a circuit breaker in the prolonged political crisis in Thailand. While the Thai people exhibited nonchalance and levity about the coup, foreign governments, including the US, expressed ritualistic concern calling for restoration of democracy soon in the country. The editorial of International Herald Tribune of September 21, opined: "The best thing Sonthi could do now is to recall his wise words of six months ago, and return power to the constitutional civilian leadership."

was later annulled by the courts. Thaksin was acting as a caretaker prime minister.

It is the same General Sonthi who had said that there would be no coup, and the military would be patient. To justify his action, on September 20, Sonthi addressed the nation stating: "Military rule would be temporary. The military insists that it has no intention to become the country's ruler." He reportedly added: "What needed to be done had to be done before it got out of control."

It is reported that a prime minister would be appointed within two weeks and a new constitution, under which elections would take place in October 2007, would be in place within one year.

He further said that there was no ban on Thaksin's return to contest the election. However, he said that the law would take its own course if the deposed prime minister had done anything wrong during his rule.

Why did the coup take place?

First, corruption charges have dogged the government led by Thaksin. Many people think that he amassed the fortune of his family by manipulation, bribery, and corruption. Thaksin became prime minister in 2001. Soon after, he faced corruption charges for concealing assets when he was deputy PM in 1997. Although he was cleared of corruption charges, he was never perceived as a "clean man" by civil

society.
What angered most Thai people this time was that Thaksin sold his family business, Shin, the nation's strategic telecommunications asset, to a Singaporean firm, at a price of \$1.9 billion. It was reported that his family did not pay taxes. The sale was the harbinger of a wave of unrest that ultimately culminated in a coup.

Second, Thaksin gradually became dictatorial because of his party's huge parliamentary majority. He ruled with an iron hand in a country where the middle-class did not approve of his style of governance.

Press critics were often muzzled, and he dismissed ministers at the drop of a hat.

He was hailed as Thailand's Lee Kuan Yew, a strong man. Thaksin forgot that his country was not a small country like Singapore with only 4.5 million people. Thailand's population is estimated at 65 million, and dictatorial rule does not usually sustain in a densely populated country.

Third, Thaksin had, reportedly, posed a challenge to what the royal palace sees as royal prerogatives to decide the successor to the king who is celebrating the 60th anniversary of his accession.

Many political observers believe that loyalty to King Bhumibol Adulydej motivated the military to stage the coup. This time the king did not do what he did in 1991. In 1991, the king intervened against the army chief Suchinda's rule, and eventually the general had to go and Anand Panyrachun, a civilian, took over as prime minister.

Fourth, political observers believe

that Thaksin had divided the nation since April, and as the crisis deepened the king, a deeply revered person and the national symbol, became uncomfortable. It is reported that General Sonthi was known to be close to the king, and his frustrations and unswerving loyalty to the king emerged.

Fifth, his mishandling of a Muslim separatist campaign in the south, bordering Malaysia, had killed more than 1,000 civilians. His tough attitude towards Muslim rebels did not add to his political strength. His policies have aggravated the situation.

The military leaders were not comfortable with his policy in the south, as deaths have occurred almost every day. The prime minister appointed the Muslim General Sonthi as the armed forces chief to assuage the feelings of Muslims. Eventually it was the Muslim general who deposed him

Sixth, the election that took place in April, just one year after his victory in 2005, was allegedly rigged by Prime Minister Thaksin. The opposition boycotted the election and protests continued. It is reported that although the king did not publicly say anything on the result of the election, he discreetly reminded the judges of the Constitutional Court of their responsibility in resolving political crises in the country. The court annulled the election.

Seventh, it seems that Thaksin was overconfident of his political position because of his popularity with the majority of people (in partic-

should have known that decisions of the political destiny of a leader in a developing country does not lie with poor people.

In a democracy it is the middle-

ular, farmers) in the countryside. He

In a democracy it is the middleclass that sets the agenda for change in politics and often people follow them. Thaksin ignored the demands of civil society and demonstrated arrogance of power. That appears to have brought him down.

Eighth and finally, Thaksin made a political mistake by assuming power in the caretaker government. If he had stepped aside, which he initially did, probably the coup would not have occurred. Power acts as an addiction that causes downfall.

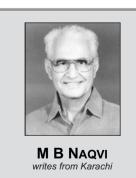
It appears that the removal of the prime minister has been a circuit breaker in the prolonged political crisis in Thailand. Calling the coup a "hiccup," Kavi Chongkittavorn, of the Nation newspaper, said: "It was a necessary evil, if you look at it. There were no other options to end this political cul-de-sac."

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"The best thing Sonthi could do now is to recall his wise words of six months ago, and return power to the constitutional civilian leadership."

Barrister Harun ur Rashid is a former Bangladesh Ambassador to the UN, Geneva.

On opposition unity



URSUIT of a comprehensive unity on needed reforms has to be given up for now. Let's be content with one-point unity. Let every party or group stick to its ideals. Solving this conundrum requires a perspective on the origins of the ideological polarization in Pakistan. That will educate the people and parties alike.

parties alike.

Solution to the opposition's problem is actually easy. Let us borrow and adapt the strategy from the Nepalese parties. Their strategy, despite the two countries being vastly different, can serve as a model, though adaptation will be needed. Nepalese parties had begun their campaigns separately. It was during the campaigning that one-point unity emerged.

They recognized that parties had different ideals. So they devised a

PLAIN WORDS

Pakistanis can follow this model. Begin with separate political (non-violent) campaigns by major parties. Once momentum is generated, the struggle itself will force one-point unity for getting rid of the army's control. Since differences are over fundamental issues the reforms will require fundamental changes in the constitution. After such changes, the constitution will become a new social concordat. Issues will be clarified while the interim government lasts; one or several alliances of parties will emerge, advocating separate ideals. The best way out will be to seek approval from the people. Let the people vote for the set of ideas or ideals they approve of, without any "management" of election.

two-stage program: first, prevent the King from running the government and strip him of his powers. An allparty interim government will be necessary. After six months, a free national election is to be held for electing a Constituent Assembly to draft a new constitution, and to decide whether monarchy should survive.

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Amorphous unity has been tried

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ideals they approve of, without any "management" of election.

Amorphous unity has been tried many times and it always broke down, signaling to the army to march in. This is how the 1964, 1969, 1977, and 1983 movements backfired. The main reason for this pattern is that Muslim Leaguers and generals, who have ruled the country, have

pushed basic differences under the

carpet and harped on unexceptional and irrelevant ideals. The rhetoric propagated was Muslim nationalism, Islamic brotherhood, Pakistan ideology or even Islamic ideology, and Kashmir. It was as if Pakistanis faced no concrete problems; successive governments have ignored the actual problems.

Basic differences remained. First

East Bengalis agitated that the centre has ignored their needs and development: their resources were being exploited by West Pakistanis. Military rulers took evasive action, beat the ideological drums, and whipped up the Kashmir issue. In 1965 the Kashmir propaganda led to a war that could not be won, and sealed the fate of Kashmir as well as

East Pakistan. No lessons were learnt from the Ayub regime's collapse.

An overarching polarization should be noted first. The first 25 vears were dominated by East Bengal's demand for autonomy for managing their economic development. The centre, dominated by the Punjabi-dominated army, opposed this, and countered with the rhetoric of Islam and Islamic brotherhood. The Bengalis had learnt lessons from the history of constitutionmaking: the West Pakistani elite with the Pak armv's help, were determined to deny them their due share in decision-making. That led to the first major conclusion: that if injustices prevail, Islam alone cannot keep a Muslim country together.

This polarization did not disappear with the demise of East Pakistan. The residual Pakistan has not only inherited it, but has made it worse. In the Bhutto interlude, the army-led elite carried on their vendetta against the parties that had demanded regional autonomy. Bhutto's sacking of the National Awami Party government in Balochistan in February 1973, and banning of NAP, followed by the Hyderabad conspiracy case, worsened this polarization, the way the Agartala conspiracy case had done earlier.

The military crackdown on Balochistan in 1973, for no valid reason, made matters worse still. It was simple bloody-mindedness against those demanding their share of power. Bitterness between

the centre-loving elite and those who demand autonomy is much greater today than it was between West and East Pakistan in the 1960s.

Recent military operations in Balochistan have made the situation explosive. It is time for the political parties to face the problem realistically and urgently. This problem should be solved democratically. Whenever an ethnicity-driven demand is made for running their own affairs, it should be acceptable. Democrats should be prepared for re-writing of the Constitution if substantive amendments to the existing Constitution are not likely to satisfy

Meantime, the Pakistani elite, who rely on pointless Islamic sloganeering, were trumped by religious parties. They demanded a unique Islamic state in which Quran and Sharia shall be the basic law. Muslim Leaguers were non-plussed and embarrassed. They tried to ignore the problem.

ignore the problem.

Later, a military dictator, Zia-ul Haq, stole the religious parties' clothes and himself began to Islamize the predominantly Muslim Pakistan. He used the religious parties, taking army cooperation with religious elements much further by making it a near-formal alliance, especially with parties like Jamaate-Islami and Jamiat-i-Ulemai Islam.

The army helped other militant groups to meet the needs of Zia's revival of the Kashmir issue, after Bhutto's quiet on it. Zia's successor

put the mullahs in the business of jihad in Kashmir, converting a purely indigenous, spontaneous and secular protest movement in Indian-controlled Kashmir into an Islamic jihad against the infidel India. This military-mullah alliance has so far strengthened the military more than the mullahs. It may be now under strain, but is by no means dead.

The world now knows what an Islamic State -- of JUI and JI concept -- will be like. It will be quite like the Taliban's Islamic state in Afghanistan which was recognized as an ideal Islamic dispensation by orthodox Sunnis, especially of the Deobandi school. An opposition agitation is again on the agenda, even the one-point programme for the army's ouster from politics is in

jeopardy.
What the MMA demands is General Pervez Musharraf's resignation from the army, and his contesting the election for presidentship as a civilian. What precisely does that mean?

In that mean?

Is it demilitarization of Pakistan's political system, or is it about a person rather than a systematic change? It is by no means certain that all the constituents of MMA will abide by the verdict of a fair election-if Pakistanis are fortunate enough

Many religious parties and groups, pretending to be Islamists, had condemned western-style elections as non-Islamic during the Zia regime. Where do religious

parties stand on democratic values and the federal principle in their desired Islamic state?

These are not the only issues that divide the people. There has been the US-Pakistan alliance. America has been involved even in domestic issues; they have bank-rolled all military dictators, and have often caused military coups. The dictators' anti-democratic policies came from America.

It is an alliance that began with an army C-in-C signing an agreement for military aid on October 14, 1953, behind the backs of the federal government and parliament, to which Messrs Ghulam Muhammad, Iskandar Mirza, and Chaudhry Mohamed Ali helped give a legal cover later. Pakistan's foreign policy has been made in Washington for a long time, and when a particular PM or dictator diverged from the US-given line a change usually followed soon enough. Foreign policy has kept the people divided.

Then there are the economic problems of the common people, especially their low living standards. There is the shocking situation of a feudal-dominated agriculture in which vast numbers are dirt poor while a small number of bigger absentee landlords roll in wealth. Do the major parties agree or differ on any given plan of action? Have they produced an economic reform plan?

MB Naqvi is a leading columist in Pakistan