

FOCUS

US Presidential Election

What are the Possible Reasons for the Mess?

It does not matter who wins the election, Bush or Al Gore, the administration is likely to suffer from inherent weakness because of the lack of mandate from the people. Al Gore has the slim majority of electoral votes (271). The American people are divided in the middle. It appears that the US Congress needs to look hard on the system of election and come out with a better standard and procedure for future elections.

by Harun ur Rashid

THE outcome of the US Presidential election is indeed in a mess. The comedians have a field day and a few comedians say that this messy election will continue to be their subject matter for at least eight years. A few American people have started saying that if the two men cannot settle themselves, let President Clinton run the country for another four years.

It appears to many that the 'chad' or 'hanging chad' or 'dimpled chad' on the card has become a joke in all over the world. Very few knew a country in Africa, called Chad (southern neighbour of Libya) but now the term 'chad' is known in different context to the TV viewers and readers of the newspapers all over the world.

The Republican Party (Bush) has moved a petition to the highest court in the land US Supreme Court of nine Judges with the request not to allow the hand-counting of votes to be added in the final result of Florida. The request of the Democratic Party (Al Gore) to hand count the votes was allowed by the Florida Supreme Court. The Republican Party thinks that the court has overstepped its jurisdiction in changing the laws and rules of the election in Florida. This decision of the Florida state Court will be reviewed by the US Supreme Court on Friday, 1 December. Both parties seem to be nervous and are keeping their fingers crossed.

This intervention by the US Supreme Court appears to be unprecedented with respect to the Presidential election. Generally speaking, the Court does wish to intervene in a matter which is essentially political in nature. By moving the election issue to the Court, it appears that the judiciary will decide the outcome of the highest office in the land.

The tone of the protest and slogans by the party supporters of both parties in the streets appears to be unseemly in a mature, democratic country, known to be the leader of the free democratic world. It was expected that the supporters would have patience and tolerance to see the court proceedings run its course. But the shouting

matches between the party supporters appear to have damaged the image of the US in other countries. The developing countries in future will not take the US seriously to monitor their elections. If the Americans cannot look after themselves, how can they look after others?

A fall-out from this chaotic situation seems to be that the one-party-ruled countries will now have the opportunity to point out to their people that the multi-party system does not work even in the US. Some say that this pandemonium in the US Presidential election has done a great disservice to the movement of democratic pluralism in the authoritarian states. The autocratic rulers would argue that if US cannot hold peacefully and smoothly the election to the highest office, why should they follow this faulty system?

One good question remains: Why is the mess?

First, it appears that there is no nation-wide standard voting system in the US. Each state decides its own electoral laws with regard to the procedure of elections and as a result the procedure and rules of the election vary from state to state. Had there been a uniform system one could argue that this confusion over hand-counting of votes to ensure the intention of the voters by looking at the card whether the voter has punched the hole or not would not have arisen.

Second, neutral public servants do not run and declare the elections in the US. There is no neutral Returning Officer to declare the result as we have in Bangladesh and in other countries. There is no national Election Commission to decide the disputed result of the election.

Each and every mid and high level official in the US gets elected, say the Judges the District Attorneys, the chief election officer and the members of the election canvassing board of each county (who certify the result) in the state are elected on party basis.

Once elected they are alleged to have a bias for their party.

At the centre of attention is Ms. Kathleen Harris (43), Florida's elected Secretary of State responsible for declaration of the result.

The writer, a barrister, is former Bangladesh Ambassador to the UN, Geneva.

It is reported that she is a Bush fan and a year ago a news release was put out by her saying: "I am thrilled and honoured to announce my support for George W. Bush for the Presidency." That is the reason why the declaration of the result of the election in Florida state by Ms. Harris has been challenged on the ground of being motivated by her partisan attitude.

Finally, the American people do not vote directly for their President. It is the faceless 538 members of the Electoral College which elect the President. Each state is allotted electors to its number of the Congress determined by population. Big states have large numbers while the small states have less.

Winning a state even by a small margin entitles a candidate to all that state college votes except in one or two states which allot electors on proportion of votes garnered by the candidates. Again there is no uniform system in the country. If Florida had the proportional system of electing members of the electoral college, this confusion might not have arisen.

There is a view that President Clinton's administration, despite its hiccups with Monica Lewinsky affair, turns out to be the orderly and credible one. History will judge him better than he has been. It does not matter who wins the election, Bush or Al Gore, the administration is likely to suffer from inherent weakness because of the lack of mandate from the people. Al Gore has the slim majority of popular vote but may not win the majority of electoral votes (271). The American people are divided in the middle.

Americans love to point out that theirs is a nation founded on laws. There seems to be an amazing number of lawyers per head of population in the US. The American people have voted but few could anticipate that the lawyers and the courts are to decide who wins the US Presidential election.

It appears that the US Congress needs to look hard on the system of election and come out with a better standard and procedure for future elections.

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Dramatic End of Fujimori Era in Peru

by A S M Nurunnabi

Peruvians called Alberto Fujimori plenty of unflattering things during his 10 years in power: a cheat, a human-rights abuser, even a tyrant. But the ways he fell from power were quite dramatic. His nemesis was his Intelligence chief Vladimiro Montesinos who became a close adviser to President Fujimori. As unofficial head of the National Intelligence Service (SIN), Montesinos helped run the war against left-wing terrorist, he also placed his military buddies in top commands and allegedly presided over high-level corruption.

At the beginning of October last, Montesinos, 54, came crashing down, threatening to take Fujimori's presidency with him. In the end, Montesinos was done in by a small political party called the Independent Moralizing Front. Montesinos's mistake was that he begged his own office. A hidden camera caught him giving \$15,000 to an opposition lawmaker as an apparent bribe. The Moralizing Front, one of whose leaders was Fujimori's embittered ex-wife, got hold of the

videotape and released soon afterwards. Already under fire for apparently rigging last presidential election, Fujimori had abruptly announced he would dismantle the SIN, resign his own office and call elections as soon as possible. Then the transition came to a jarring halt. Fujimori said he would stay in power until his successor is inaugurated.

For days, Fujimori had failed to formally fire Montesinos. Instead, the intelligence chief dropped out of sight. The ousted spymaster fled the country and headed up briefly in Panama. This month, Montesinos deepened the crisis by flying home. Many Peruvians blamed Fujimori for failing to keep him out. As if he hadn't caused enough trouble, Montesinos gave a rare interview to a Lima radio station, claiming Fujimori had given him permission to return.

The first vice-president promptly quit in protest, and two congressmen bolted Fujimori's party, which soon split into rival factions. Coup rumours flew widely.

Meanwhile, the president had gambled to cut his losses. For weeks, his representatives had been haggling with opposition leaders over the precise terms for a new election. Fujimori was trying to delay it as long as possible. And in exchange for his stepping down he wanted a sweeping new amnesty law, granting immunity from prosecution to both military and civilian officials for a wide variety of crimes, including drug trafficking. Suddenly the president caved in, dumping the amnesty demand and agreeing to hold the vote no later than April 8.

The amnesty issue didn't go so easily. Political analysts said the generals were sure to push Fujimori for broad legal protection, as payment for staying out of the Montesinos standoff. They had reasons to worry. Human rights activists were demanding the creation of an independent truth commission to investigate atrocities committed since 1980 in the two-pronged civil war against the leftist Tupac Amaru rebels in the slums and the

vicious Shining Path in the countryside. No matter what the army wanted, though, Fujimori couldn't deliver an amnesty law without opposition support. And that was something he could not expect much of.

Fujimori had always accepted without question his intelligence chief's denials of any involvement in massacres, corruption, arms trafficking and links to drug lords. The two had been inseparable partners since 1990. Fujimori, a bookish political novice, seemingly had no chance of winning the presidency but he

became unbeatable after he joined up with Montesinos. In the years after Fujimori's long-shot victory they dissolved Congress, suspended the Constitution and trampled other democratic institutions in Peru, with barely a whimper of protest from the international community.

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As Peru sinks further into political crisis, civilian demonstrators have embraced pop art to coax the country's masses wary of violence and fed-up with weak and divided opposition parties to take to the streets. The first concentrated artistic actions came in the aftermath of Fujimori's third consecutive electoral win in May, which was marred by accusations of fraud.

Every Friday afternoon during the past five months demonstrators have faithfully brought soap and wash-basins to Lima's central square, where they wash the Peruvian flag and hang it to dry in front of the government palace.

Less than two months into

Fujimori's controversial third term his power began to crumble after a video showing Montesinos allegedly bribing an opposition politician was leaked on 14 September.

Two days later, Fujimori announced he would call new elections without him in the

running. Thousands of Peruvians

took to the streets chanting "the dictatorship has fallen."

A special mission of the Organization of American States (OAS) in Peru agreed to broker terms of the democratic transition but negotiations were hampered by the spectre of Montesinos, who fled to Panama on 23 September seeking political asylum. The request was rejected and he returned a month later, provoking public and international outcry.

Faced with a political melt-

wand, government, opposition

and civil society representatives

returned to the OAS-brokered talks and an election date was finally set for 8 April next.

Fujimori's proposed "national reconciliation" plan, which human rights groups say would have provided Montesinos and military officers with impunity, was dropped as a pre-condition for elections.

"We need a commission that

investigates abuses committed by all sides, not just the government," says Sofia Macher, president of Peru's National Human Rights Coordinating Office. "Forgetting is not a real amnesty. First

we must establish who is responsible for the crimes before we can build true national reconciliation."

A recent poll by the independent agency Apoyo found that 71 per cent of Peruvians disagreed with the government's amnesty proposal, but citizens have not taken to the streets en masse.

Opposition congress member Rafael Rey Blameys Peru's 49 per cent poverty rate and the government's control of media outlets. But Peru's popular opposition newspaper *Liberacion* has actively campaigned for civil uprising, drawing parallels between Fujimori and Yugoslavia's Slobodan Milosevic, who was evicted through civilian protest.

"I believe it's incorrect to say the population is only concerned about having enough food or getting our breakfast," Macher responds. "But we need leadership, someone to say, okay, where are we going to meet? Let's go to the Palace, let's go to the Plaza de Armas, to the little Pentagon... The conditions of indignation exist, we're just lacking a leader."

"Five years ago people were afraid of demonstrating or even talking critically about the government in public," says Guererro, a post-graduate student. "Now that has changed and citizens feel they have the right to speak and give their opinions."

Peru's historic San Martin square has been virtually taken over in recent months by the CSC, Luis Garcia, organiser of the artist's collective "Resistencia", which supplies CSC with protest pop art, surveys a lunch-time crowd milling around the latest contribution to the "Wall of Shame".

The Spiritual Context of Fasting

by Muhammad Alamgir

THE five pillars of Islam are: Declaration of Faith, Salat, Zakat, Saum and Hajj.

In the declaration of Faith, viz. *La Ilaha Illallah, Muhammadi Rasoolullah* (i.e. nothing worthy of worship except Allah, and Muhammad is the Messenger of Allah), we become conscious of the individual positions of Allah, the Holy Messenger Muhammad (S) and the rest of the Creation. It signifies that every soul has come from Allah, and every soul goes back to Allah. A successful return back to Allah is only possible through the Message and Guidance given by Allah Himself. As a matter of fact, Allah has appointed the Holy Messenger Muhammad (S) to convey His message to every soul in order to guide them towards the destination earmarked for them. Therefore, when we say Muhammad (S) is the Messenger of Allah, it is not only an assertion of the high status of the Holy Messenger Muhammad (S), it is at the same time a reminder of the functional relationship of the Holy Messenger Muhammad (S) with Allah on the one hand and the rest of the Creation on the other.

Salat (devotional Prayer), Zakat (minimum Charity), Saum (Fasting) and Hajj (Pilgrimage) are the mechanics applied for that journey back to Allah. The prerequisites in these mechanics are the high moral standards of good conduct exemplified by the Holy Messenger Muhammad (S); and the efficiency of these mechanics is a reflection of the spiritual relationship one establishes with Allah.

Briefly, Salat is a vehicle which continually brings the soul in the Presence of Allah. One may say, it is the rehearsal for the soul, before it stands in the Grand Presence at the end of its journey. [A training in the protocol, before visiting the King].

Zakat is a vehicle which reminds the soul that it is not alone in the journey. The soul has to share the given resources with other souls, so that everyone has an easy passage towards the destination.

Hajj is a vehicle which brings home the message of the Grand Gathering that will take place at the end of the journey.

Last but not least, Fasting is a vehicle which brings the soul closer to Allah by virtue of practising *Samadiyyat*, i.e. by emulating the divine attribute *As-Sanad* One who is not dependent on anything.

What is said above about Salat, Zakat, Hajj and Fasting does not do any justice to the extent and depth one can go in describing these mechanics. The idea here is to put Fasting in the picture as a whole, and then look at it in a bit more detail, especially in the spiritual context.

That is why Allah has said in a Hadis-e-Qudsi, "as-Saum Lee wa Ana Ujzi Behi", i.e. Fasting is for My sake, and I will be the reward for it.

Attempting Fasting is to emulate Allah in His attribute of *As-Sanad*. Allah does not depend on anything for sustenance. He does not need any food or drink. In short, He is free from any biological needs. He is above biology and bio-chemistry. However, our souls are entrenched in our bodies, which are purely organic, i.e. they undergo growth and decay; and therefore, for their biological function they need sustenance; food, drink, sleep and a few other things.

Alhamra therefore, in giving the reasons for Fasting, has summed up the whole issue in one short, albeit comprehensive, phrase: "La'allakum Tattagoon", that you may learn self-restraint. When we talk of self, we do not mean body alone; we mean body, mind and soul.... Fasting is the totality of control imposed on all aspects of self, so that all our overt and covert actions are in complete accord with the commands of Allah.

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