

Chief Justice's Timely Comment

THE Chief Justice, while participating in a human rights seminar on Saturday, made, in our view, two very pertinent points. To ensure human rights, he said, we needed to develop democratic culture and possess a credible law enforcing body. Let us start with the law enforcement bodies first. The Chief Justice recounted a meeting he held earlier on the day with the public prosecutors whose descriptions of police activities forced him to comment that protectors of the public have become their persecutors. We share the Chief Justice's worry. Our police have virtually become non-functional. Corruption has so entered its inner core that today the name of the police has become almost a synonym for all corrupt practices. We would be the last one to state that all our police men and women are corrupt. But definitely there are the ones who are doing most of the mischief and thereby maiming the image of the whole force. If there are honest police officers, as we believe that there are, then they must come out openly against the corrupt ones.

Take the recent report of Bangladesh Rehabilitation Centre for Trauma Victims (BRCTV). It reveals that the police tortured 484 people in the first six months of this year. Of them, 44 died in the custody - 34 in police, 3 in BDR, one in Army, two in Ansar and four in other custody. This unbelievable number of custodial deaths makes our police perhaps the most dangerous in the world. The tragedy is that not even in a single case was the police held accountable and given an appropriate punishment. We suggested before and we do so again that we need police reform of a fundamental nature, which will transform it into a modern law enforcement body. We need to increase the basic pay of the lowest tier of our police personnel otherwise we cannot stop petty crimes.

Absence of a democratic culture in our politics is the other point our Chief Justice laid stress on to ensure human rights. We take considerable pride in having repeatedly defeated military dictatorships and having re-established democracy. But our democracy remains fatally flawed by a lack of democratic culture among our leading political parties that remain totally under the clutches of their leaders. In our view it is the lack of inner party democracy that lies at the root of all our political vulgarity and excesses that plague our politics today. Democracy cannot be established in parts. It has to be there in every part of our society. We cannot have a healthy example of it at the national level when we do not permit it at the party level.

There is also the 'winner take all' mentality that vitiates our politics. There is no sharing of power or its spoils and privileges between the ruling and the opposition parties. Therefore neither side is prepared to lose when contesting an election which results in the adoption of 'every' means to win it, with the outcome that democratic norms become sacrificed at the alter of party and self interest.

We commend our Chief Justice for having spoken out this essential truth in a forthright manner and hope that those it is meant for listen.

Sharif Capitulates

FORMER Pakistani prime minister Nawaz Sharif has surprised everyone by accepting a 10-year exile in Saudi Arabia, in return for a swift presidential pardon of his 25-year jail sentence. Sharif made his clemency deal with Pakistan's military ruler, Gen Pervez Musharraf, the very man who ousted him just over a year ago and then put him in jail on hijacking and corruption charges.

Sharif's easy capitulation to Musharraf's offer of a reprieve is disappointing, a cop out in the real sense of the term. All Sharif needed to do was to wait for just another two years, when Musharraf's three-year military rule of Pakistan is scheduled to end. Although Sharif was banned from contesting elections for 21 years, that ruling could have been changed and he could have emerged from jail with his career intact, even stronger. Now, he has virtually ended his career. He has also jeopardized the future of his Muslim League party which, under the leadership of his wife, Kulsoom Sharif, had joined hands with arch foes, including the Pakistan People's Party (PPP), in a bid to forge a united movement against Musharraf's military rule. That alliance, the Alliance for Restoration of Democracy (ARD), is now confused and uncertain about its own future.

The episode certainly has raised several questions. What were Gen Musharraf's true motives in going for this deal, for instance? Was this a shrewd move on his part to weaken the democratic alliance being mounted against him? Or has he made a mistake by letting Sharif out of the country? Musharraf will certainly have to face much domestic criticism for allowing Sharif to go free, when all this time he has been making lofty statements about not letting a single corrupt politician off the hook in Pakistan. If Musharraf really intends to step down from power in two years' time, as he has repeatedly stated and as per the Pakistan Supreme Court's ruling to him, how can he - or for that matter, Sharif - assume that the 10-year sentence of exile will be honoured? Why would Sharif himself accept such a deal, knowing these circumstances? These questions continue to intrigue us, no doubt, and only time will tell. At this stage we can reinforce our view that we believe that Sharif's departure is a disappointment and military rule is not an alternative in any country. We sincerely hope that democracy will triumph in Pakistan.

THE term of peace is brought in someone's favour by bargaining it from a position of strength. It has been invariably Israel's monopoly in now stalled Oslo peace process in the Middle East whereas the advantage could never be availed by the PLO which had neither the state nor the compliments of strength to be derived from it. There is such a great disparity between the two in their power potentials which constitute bargaining strength that it virtually made the peace process unworkable. The asymmetry in power between two sides let the strong Israelis dictate both pace and scope of the agreement's implementation and the weak Palestinians to look for alternatives including violence to peace negotiations. Yet the Peace Accord limped forward for some time with sheer force of momentum provided by powerful peace brokers. But after seven years of travails it is now practically dead with fresh violence erupting and escalating now in occupied territories.

The fact that Israel is disproportionately powerful for negotiating peace settlement with PLO almost a non-entity has been ignored in the first place in designing the Peace Accord. Israel is the only country in the Middle East to be credited with its participation in the much bruited revolution in military affairs by applying high-tech to armaments. It has built so great a lead in conventional arms that several Arab states, let alone the PLO, openly concede that they cannot compete with it on that level. Even if they ever resort to the use of the weapon of mass destruction, Israel has an elaborate anti-missile defence, the Arrow as well as nuclear and anti-terrorist

Why the Middle East Peace in Pieces?

Putting an end to the so-called 'peace-process' at this point is important for Israel also because it has already gained from the Oslo Accords everything it had desired - particularly PLO's recognition to Israel. So there is not much incentive left for the Israelis to continue with the process. It is however to be seen how the peace brokers in the West, particularly the United States, would tackle it after her role as an 'honest broker' has been much tainted.

capabilities. Economically it is today in big leagues enjoying a per capita income of \$18,000. It is a high-tech giant with computer and internet sector larger in absolute term than that of any other country outside the United States. On political front unlike its neighbours and rivals the country is the beneficiary of a robust democratic culture and on security issues the country's major political parties find much common ground. Over and above the power of her guaranteed ally, the United States, is invariably thrown behind her whenever in crisis.

By contrast, the PLO, a partner in the peace process, is desperately dependent on the goodwill, backing and, at times, sanctuaries of its Arab patrons for its own survival. Obviously it never fought a conventional war, as it was not designed for it. It was politically orphaned when the Palestinians lent their support to President Saddam Hussain during the Gulf War. Riddled with indecision, corruption and factionalism the PLO had been marking its time in its far-off sanctuary in Tunis when it was pitch forked from there by the peace brokers to negotiate a vague peace with a difficult partner, Israel. Could it in any way assert its term of peace? Look at its potential Arab allies who are in the word of a UN official, "particularly exceptional in being the highest spender in the world for military purpose" they devote 8.8

per cent of the GDP to military, versus 2.4 per cent of the world as a whole! Yet Arab conventional forces are in decline and lost all wars they fought with Israel since its inception. Politically the Arab world has the highest quotient of autocratic regimes who are at each other's throat rather than unitedly promoting any of their

peace brokers adopted a weird approach to peace by devising Oslo peace accord to resolve the world's one of the most intractable disputes. But even in that case both sides jumped into the 'peace process' without having clarified workable objective and expected to wrest that clarity



PERSPECTIVES

by Brig (Rtd) M Abdul Hafiz

causes. It is an economic blackhole with per capita income as low as \$270 in countries like Yemen where in Aden the USS Cole was recently subjected to terrorist attack. Could they throw any weight to the bargaining power of a despondent lot of PLO interlocutors at negotiating table?

Taken together, all these factors seem to suggest that Israel has a definitive edge over its historic enemies including the PLO and thus power to dictate terms in any negotiation. In such circumstances, perhaps an apex body capable of mediating between the two could preside over the conflict resolution. The 1967 UNSC resolution No 242 was a right step in that direction.

from the process itself. But as the Oslo process unfolded its inadequacies came in sharp focus against the backdrop of evolving realities. The open-ended and transitory nature of the agreement bred ambiguity, conditionality and reversibility.

In fact in the name of a peace process the PLO was being pursued all these years by the Americans and Israelis to sign a peace that would give the Palestinians neither a state, nor an end to Jewish settlements in occupied territory, certainly not a capital in Arab East Jerusalem. After seven years of hard negotiations what PLO got by giving away all the gains of 1987-1992 intifada, was little more than the municipal authority over patches of occupied

territory while all else was deferred to so-called final status talks. Israel used this extended time to build so many Jewish settlements and security highways dividing the West Bank into many pieces which are isolated from each other, that the Palestinian state which may finally result from the peace process would not be more than a cluster of apartheid-style Bantustans.

The extent of sovereignty that may be granted to the Palestinians can be judged from the territorial dispensation made during the last seven years and Israeli insistence on retaining the security and foreign policy in its hand even when a Palestinian state becomes a reality. The Camp David summit of July last where Arafat was pressurised by none other than President Clinton to sign almost on the dotted lines as regards the future of Jerusalem came as a shock to profound Palestinian sentiments. It was the elastic limit of the patience of the Palestinians who are not prepared to make compromise on Al-Aqsa. Sharon's visit to Al-Aqsa could have only sparked off the eruption but it was already in the making. The moment of truth for the Palestinians seems to have arrived and they seem ready to shape their destiny in a different way.

Putting an end to the so-called 'peace-process' at this point is important for Israel also because it has already gained from the Oslo Accords everything it had desired particularly PLO's recognition to Israel. So there is not much incentive left for the Israelis to continue with the process. It is however to be seen how the peace brokers in the West, particularly the United States, would tackle it after her role as an 'honest broker' has been much tainted.

1945-75. This period witnessed the construction of the infrastructure and the welfare state on an unprecedented scale. The EU has been timid in asserting political and strategic autonomy. Kosovo demonstrated that starkly. Although the EU is now creating an armed force of its own, its function will be far narrower than NATO's. Political autonomy will be especially hard to achieve unless Europe develops an altogether new social-economic model of its own, one that is defiantly dissimilar to America's.

The time has clearly come for The Fourth Way, a new approach to society, politics and economics which challenges corporate capitalism and globalisation. There is a ray of hope as I write this on the first anniversary of the Seattle revolt against globalisation, with its inequality and injustice. Seattle proved that the struggles of labour unions, environmentalists, human rights activists, or campaigners against child labour, can be knit together; that a new common vision is possible.

Global South, be mitigated? There is no easy answer. But logically, the main challenge to American domination must come from Western Europe. That is where there was a lot of hope, with the coming to power of Liberal Left governments in the 1990s. Last year, 11 out of the European Union's 15 governments fell in that category. (Since then, Austria has moved rightwards).

Today, that hope remains unfulfilled. The Third Way, which the New Social Democrats promised as an alternative to U.S.-style global capitalism, is in crisis. It has failed to challenge U.S. economically. The Euro has lost over a quarter of its value in 20 months.

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Lessons from US Polls

The Leadership Crisis is Global

Praful Bidwai writes from New Delhi

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they felt there was no real choice (or none) who decided the contest's outcome.

However, there are significant differences between Messrs Bush and Gore's support bases. For instance, blacks voted 10 to 1 for Mr Gore. Families of uninsured workers favoured him over Mr Bush two-to-one. Mr Gore's 11-point lead among female voters is attributable to his stand on abortion rights.

No matter which man is declared the winner, his rival will always think his victory was stolen away. This is likely to make for legislative blockades and government shutdowns. 'Partisan bickering' between the Democrats and Republicans is unlikely to abate.

Ironically, the two parties would be fighting more over words and icons than real policies. Indeed, the differences between their two presidential candidates are far less important than their differences from the third candidate, Mr Ralph Nader, who alone has thoughtful, serious policies.

As has been said, the American fault-line runs not so much between the two parties, as between voters and non-voters. It is those who didn't vote (because

becomes President).

Mr Gore will probably nominate moderates. Mr Bush will nominate hardcore conservatives like Judges Antonin Scalia and Clarence Thomas, who have recently assaulted individual freedom.

Today's U.S. Supreme Court is the product of 30-plus years of nominations largely by Presidents Nixon, Reagan and Bush. It is narrowly divided. A couple of reactionary appointments would tilt that balance and harden a 5-to-4 majority which is consistently right-wing, totally pro-corporate, and tears down the Court's own past rulings in favour of freedom, justice and equality.

In the past, the U.S. Supreme Court played a progressive role on racial segregation, affirmative action, women's rights, etc. In the future, it could do just the opposite. This would have important consequences for the whole world for instance, further tightening of patents for corporations, or removal of restrictions on biotechnology research. The crisis of leadership in the U.S. will aggravate the political crisis everywhere. That crisis is global. But America's crisis is uniquely men-

acing.

Today's world is not quite unipolar. But America's economic and technological pre-eminence is as unchallenged as its military might. This was not so a decade ago although the Cold War was ending.

Then, scholars like Paul Kennedy (The Rise or Fall of the Great Powers) forecast U.S. decline vis-à-vis Japan and the European Union. It was not guaranteed that the U.S. would emerge the world technology leader, or that market-fundamentalist policies would hold long sway over the world. It wasn't inevitable that NATO would get more aggressive under US leadership even after the Warsaw Pact collapsed. Where does U.S. dominance leave the world? How might it be challenged to promote a less skewed global order? How can its consequences for world, especially the

Global South, be mitigated?

There is no easy answer. But logically, the main challenge to American domination must come from Western Europe. That is where there was a lot of hope, with the coming to power of Liberal Left governments in the 1990s. Last year, 11 out of the European Union's 15 governments fell in that category. (Since then, Austria has moved rightwards).

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There is a view that although the statement is perceived to be a part of the election campaign, it is likely to arouse unease and resentment among the minority Muslims in India. They will perceive the statement as insensitive and inflammatory. The communal tension is likely to rise. Overlaid on this sort of sentiment is the tough stand by RSS on India's 30 million Christians and the Christians were reportedly subjected to harassment and attack in Gujarat, Maharashtra and Orissa states. The recent visit of the Pope to India has been reportedly subject to harassment and attack in Gujarat, Maharashtra and Orissa states. The recent visit of the Pope to India has been reportedly subject to harassment and attack in Gujarat, Maharashtra and Orissa states.

The statement is also likely to alarm the neighbours as to which direction India is moving. There could be reaction among the right-wing parties in neighbouring countries. After all religion creates high emotions and often reason does not hold good. A view prevails that if the preparations for the construction of Ram Temple begin on the site of the demolished Babri mosque, it is believed that the case might be heard soon by the court. Mr. Vaipayee has been reported to have demanded that Prime Minister should make amends to his people. This is the question: why did the Prime Minister make this statement?

First, there is a view that his government has not been doing well in economic front and his popularity is on the decline. The electorate appears to be disillusioned with the direction of the government. Political analysts believe that this statement could be a diversionary tactic of the Prime Minister. The people in general are likely to be engrossed in this debate and will tend to forget the pressing issues facing the country. The subject matter is an emotive one and the right-wing

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