Who will provide the political base for reform?

Rehman Sobhan scrutinizes the constituency for political reform and outlines the formidable hurdles that a such a political realignment would have to overcome

THE caretaker government (CTG) has now been in office for just under a month. It remains unclear as to how much longer they will remain and what will be the constitutional framework to institutionalize their tenure. Whilst both the CTG and the various political parties indicate that the responsibility of the CTG will be to hold a free and fair election as soon as possible and to then make their exit, it is obvious that the perceptions on either side, over what is required for a free and fair election and the concept of "as soon as possible" are not fully shared by both sides.



AMIRUL RAJIV

Within the political parties it is not clear if the two main alliances have an agreed position on "free and fair" or even on "as soon as possible." As far as the CTG is concerned, their public persona is hardly self-determined so they continue to speak with variable voices. But the CTG is an entity of limited power sustained by the powers that be. Since the powers that be do not speak their mind publicly their position can only be perceived through some of the actions of the CTG and this too is open to different interpretations.

It remains to be seen how far the new election commissioners are able to demonstrate their independence, courage, and efficiency in the discharge of their mandate. It should be kept in mind that a truly independent EC, with strong commissioners, may become a law unto itself. Under the constitution, the EC becomes sovereign in setting the dates and terms of the election as well as the functioning of the administration and the determinants of what constitutes a free and fair election.

The CTG will indeed have no other function than to care-take and act in support of the EC. This precludes the CTG from making drastic changes in the systems of governance or the placements in the administration, unless specifically requested by the EC to do so in the service of a free and fair election. It is not clear if the powers that be are prepared to accept such restraints on their agenda imposed by the EC whose mandate and independence may have to be accordingly modified to accommodate a possible agenda for more substantive changes in the arrangements for the governance of Bangladesh.

The operative issue lies in the interpretation of what will be necessary to ensure a free and fair election. The most obvious actions include an updated and credible voter list. There has been much discussion on this as well as the issue of voter ID cards so I will not pursue this issue. The key issue in defining the terms of a free and fair election remains to ensure that the EC will conduct itself without a semblance of partisan bias and will be able to restructure and discipline the administration to totally support the EC in this endeavour.

The partisanization of the administration by the outgoing 4-Party Alliance government had been far reaching, going down to the grass-roots level, involving EC officials, police, even school teachers. A major overhaul of the administration will, therefore, be in order to re-establish the non-partisan status of the EC as well as the CTG.

Similar action may be needed in