

EC reforms by July

A good augury

IT is good news that the Election Commission (EC) is poised to complete the much-needed reforms by July 2007. We are aware of the extensive electoral reforms required to ensure a free, fair and acceptable election. It is a fact that the past administration of the EC had left too many loose ends around, which need to be taken care of on an urgent basis.

We now hope the most urgent reforms such as enforcing registration of the political parties, electoral roll updating with photographs of voters, providing speedy election tribunal, setting ceilings of election expenditure and barring bank loan defaulters from contesting in the elections will be completed by July.

On many counts we feel that the EC should move a little faster so that the reforms are done well within time. We feel, to do the job smoothly, the EC should take the people in confidence by sharing its plan with them. We understand that a great deal of work has yet to be completed, yet the people would welcome at least a notional time table as to when the all important election is likely to be held.

It needs no emphasising that the people in general are looking forward to an election held in a much cleaner environment where they would not be intimidated by the owners of black money and their musclemen. They would also welcome an updated voter list and the system of an election tribunal in place to take care of any foul play by any quarter. Therefore, sooner the reforms are done and elections are held within a reasonable timeframe, the better for democracy to find a solid footing in the country.

Assault on judiciary is an affront to law

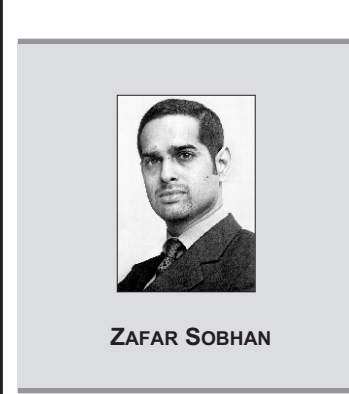
Musharraf shoots himself in the foot

GENERAL Pervez Musharraf might live to rue the day when he decided to move against the country's chief justice. In the twenty months he has served as the head of the judiciary, Justice Iftikhar Mohammad Chaudhry has demonstrated a degree of courage and integrity not often noticed in the legal corridors of the third world. But the ire of Pakistan's military leader has been aroused over allegations that Chaudhry exercised undue influence over a placement of his policeman son in the latter's department. That allegation is yet to be proved by a judicial council.

For now, though, the move against the chief justice by a president who came to power in a coup and remains chief of staff of the army is being regarded as an assault on the independence of the judiciary. One agrees with the assessment, especially in light of the bad record President Musharraf has already set for himself where dealing with the judicial branch is concerned. Seven years ago, he dismissed altogether eighteen judges, including the chief justice, over their failure to take a fresh oath of office under a provisional constitution following the October 1999 coup. That was a bad precedent set by the general. Justice Chaudhry, by refusing to resign, has, unlike some of his colleagues, shown an admirable determination not to take things lying down. During his stewardship of the judiciary, he has taken the regime to task over the disappearances of citizens at the hands of Pakistan's intelligence agencies; and he has prevented the government from selling off a state-run steel mill to private ownership. Such measures did not endear him to the Musharraf regime. Hence the crisis which the president has now clearly precipitated.

Any attack on the judiciary anywhere is an affront to the principle of rule of law. In Pakistan, there remain instances of men of integrity, such as Justice Kayani, who have refused to be browbeaten by those wielding political authority. Justice Chaudhri joins the ranks of these men. The current resistance by lawyers to Musharraf's action should make the regime reflect on the folly it has committed. A decapitated judiciary can only lead to an emasculated country.

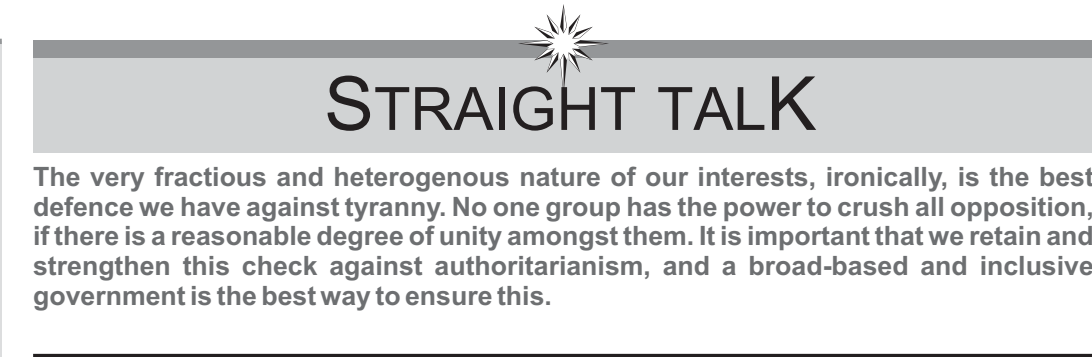
What next?



THE political situation in Bangladesh becomes ever more opaque by the day. The rumour mill is doing overtime, and the general public is reduced to parsing the words and deciphering the body language of the people at the helm and to try to see hidden patterns in decisions taken and not taken, to try to understand what is going on and who is calling the shots.

On March 11 there was a gazette notification published, giving the anti-crime and anti-corruption task forces, under the command of Communication Adviser Maj. Gen. (retd) Matin and Ninth Infantry Division GOC Maj. Gen. Masud, that had been operating since February 4, retrospective official legitimacy. The notice brought some clarity to the relationship and division of responsibility between the caretaker government and the armed forces.

The second piece of news making the rounds is the formation of a National Security Council, which is now a more or less done deal. The only thing that remains unfinished is the exact composition of the



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council and what exactly it's remit will be. But there seems little doubt that it will be formed sooner rather than later, and that the relationship between the council and the caretaker government will also be one that will invite careful scrutiny.

In the absence of any public debate on the issue, there is some apprehension that the National Security Council will cut into the authority and responsibility for running the country from the caretaker government, however, it seems to me that if the remit of the NSC is defence and national security, as would seem logical, that such a council would not necessarily impose its authority on the caretaker government in other areas.

However, this does lead to another question. It is becoming more and more apparent that the current interim government of eleven technocrats surely cannot continue to run the entire administrative machinery of the state for the two years we now hear bruited as the minimum time period before elections can be held.

So, what then? The National Security Council, surely, cannot run the country, and, surely, cannot be conceived of as a body that will solve the thorny issue of the stretched to breaking point capacity of the caretaker government.

Plus, any alternative to the current caretaker government brings the nation into constitutionally murky territory. One can make the argument that the current system enjoys constitutional legitimacy and that the caretaker government can constitutionally remain in place until the election of a new parliament and prime minister. But an expanded caretaker government or any other solution would unquestionably be extra-constitutional. So, how to proceed?

One possible solution making the rounds is a referendum. Then, after elections are held, whenever they are held, there can be legislation legitimizing all that went on before. It is not a bad idea to ask the citizenry its opinion before stepping into extra-constitutional territory, but what would the referendum be on? What would our choices be? An expanded caretaker government? A constitutional convention to redo the entire system? Something else?

If we are not going to get

elections any time soon, and it does not seem as though we are, perhaps we could attempt to navigate through the next two years with some kind of combination of a caretaker government and an elected government.

Perhaps the most effective and sensible compromise would be some kind of a broad-based, inclusive government. Such a government could retain members from the current caretaker government, but their numbers could also be supplemented by those political leaders who have emerged unscathed and with a clean bill of health from the anti-crime and anti-corruption drive, and other eminent citizens.

This will give the government a broad base of support from which to operate and will give the nation a sense of ownership over the entire process.

Representation from the political parties can help ameliorate some of the concerns due to the fact that the government would be non-elected and extra-constitutional, and the inclusion of the technocrat element would help ameliorate the problems associated with an exclusively elected government.

By bringing everyone on board, we can start the healing process, and help make the entire country stake-holders in the reform process. Most importantly, we can also make sure that there are no politics played with policy-making and no one opposing things for the sake of opposition or on crass political considerations. Most importantly, a broad-based government can ensure that there is some level of national consensus as to the decisions that are being made.

If we are going to have an unelected government run the country for the next two years (hopefully less), then I think it is important that we bring some political players from the major parties on board. The broader and more inclusive the government can be, the better.

It should be kept in mind that we cannot wish away the political parties. Even with the current anti-crime and anti-corruption drives, there remain dozens of decent leaders and thousands of conscientious party workers who need not be marginalised. They, too, have an interest and a stake in fixing the system. Let's bring them into the process.

What we all want is an election. No one wants a non-elected government running the country indefinitely. Some want elections right away and some want elections only after the entire system has been thoroughly cleaned up. But we all want elections.

But how do we get there in one piece? The crucial consid-

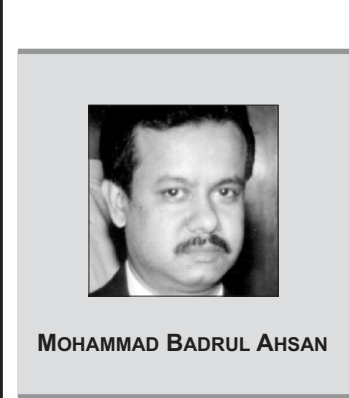
eration is to make sure that no one group or faction or coterie becomes all-powerful and is able to impose its own agenda on an unwilling public. What we need are checks and balances such that no one group can dominate. This would be helped by a broad-based coalition that would keep everyone in check.

I think we have all learned what the AL and BNP should perhaps, have learned before January 11 but didn't. The lesson is that neither they, nor anyone else, can triumph and single-handedly vanquish all opposition. The country is an assortment of many interests and sides: all need a patient hearing and none can be steam-rollered into submission.

The very fractious and heterogenous nature of our interests, ironically, is the best defence we have against tyranny. No one group has the power to crush all opposition, if there is a reasonable degree of unity amongst them. It is important that we retain and strengthen this check against authoritarianism, and a broad-based and inclusive government is the best way to ensure this.

Zafar Sobhan is Assistant Editor, The Daily Star. Opinions expressed here are the author's own and do not necessarily reflect those of the paper's.

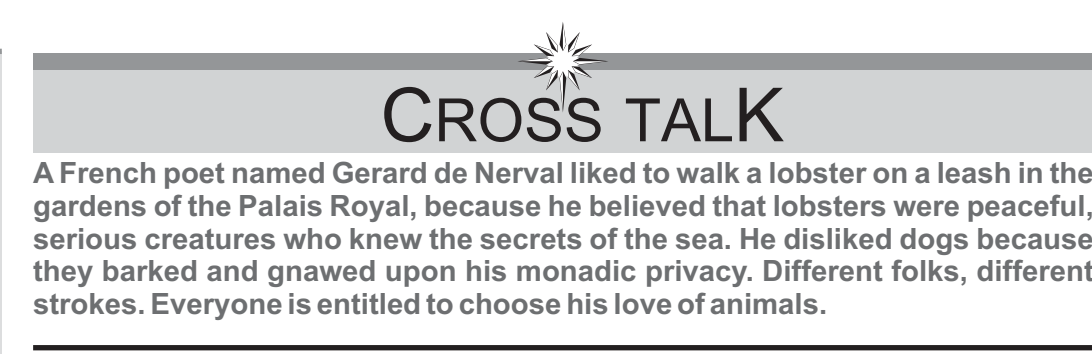
The zoo and the prison



MEET the Animal Man, a fictional character created by writer Dave Wood and artist Carmine Infantino in the mid-1960s. He was known as Buddy Baker until he gained supernatural power after an extra-terrestrial spaceship exploded near him.

He could borrow the abilities of animals, such as a bird's flight or the proportionate strength of an ant. The Animal Man was a superhero who used his newfound powers to fight against crime.

Now meet the Animal Man on the rebound. He is a super-criminal who did horrible things but loved to raise animals. He kept deer, peacocks, turkeys and even pythons in his backyard. God knows if he has borrowed anything from these animals, but he used his stupendous powers to spread crime. In our times the Animal Man slipped, and per-



A French poet named Gerard de Nerval liked to walk a lobster on a leash in the gardens of the Palais Royal, because he believed that lobsters were peaceful, serious creatures who knew the secrets of the sea. He disliked dogs because they barked and gnawed upon his monadic privacy. Different folks, different strokes. Everyone is entitled to choose his love of animals.

formed backward.

Frankly, there is nothing wrong if a man likes animals. As a matter of fact, all animals, man included, are primordial cousins and they have something common stamped in their genetic memories.

Psychologists have laboured to find that commonality, and their conclusion is that people are known by the company they keep. And it works both ways. People make the company as much as the company makes them.

So, when a lonely woman keeps a cat, it could show that she treats men distrustfully, and will enter into intimate relationships gingerly. If a man likes cats, it is an indication that he accepts a woman's right to be independent. A bachelor who has cat is likely to be self-sufficient and reluctant to marry. Anybody who hates cats is showing his antipathy to the whole female sex.

To give more examples, a woman who buys a French bull-

answer is that, on the scale of evolution, the further one moves away from humanity, the closer one gets to animals.

And that transformation produces a sense of guilt. One might soak in the lotus bathtub, hide in one of the many houses, speed away in fancy cars, but the hazard of guilt is such that it is a prison that walks with the prisoner. If he tries to escape it, he only finds himself imprisoned again.

Many years ago, Charles de Gaulle of France had resented that the more he knew humans, the more he loved his dog. For obvious reasons, those horrible men must have been more comfortable with animals than they were with their own race.

It was some kind of a release for them to turn from the miseries created by them and concentrate on the cry of peacocks, the grunt of deer and, every now and then, pythons hissing in their pits.

Not to say, this is a new trend and that is why it is important to understand what has happened. If people have money, it is only natural that they will like to spend it. They will buy lifestyle, comfort, land, houses, jewelry, and then they will womanize, raise musclemen, fight court cases and run in the elections. After all, what is money if it doesn't shrink the world and put it in your grip?

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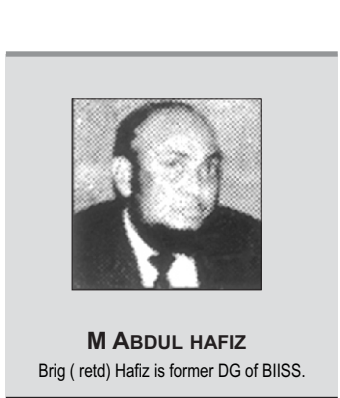
He disliked dogs because they barked and gnawed upon his monadic privacy. Different folks, different strokes. Everyone is entitled to choose his love of animals.

I am not worried that the naughty and the grotty were fond of animals, but I am still intrigued by their choice of animals. And if those men had chosen to make those animals elemental in their privacy, I am sure they had their subconscious reasons. There is one way to find out, and it may sound crazy. Give visiting rights to the animals so that they can meet their former owners in the prison.

Then let us watch them, and eavesdrop. At their level of evolution, we might actually hear a conversation! What remains to be seen is who talks about the zoo and who talks about the prison.

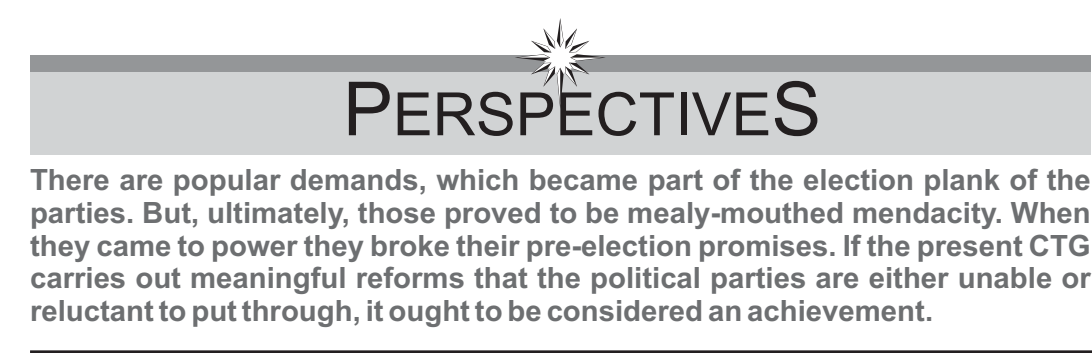
Mohammad Badrul Ahsan is a banker.

Breaking the taboo and status quo



THE polity has been undergoing an interesting metamorphosis although the contour of a new order is amorphous at the best. The upheaval caused by the tectonic shift in the country's political landscape is, indeed, bewildering, and it will take time to fathom its magnitude.

But this is how it happens when things stagnate and the people, taking shelter in the status quo,



There are popular demands, which became part of the election plank of the parties. But, ultimately, those proved to be mealy-mouthed mendacity. When they came to power they broke their pre-election promises. If the present CTG carries out meaningful reforms that the political parties are either unable or reluctant to put through, it ought to be considered an achievement.

develop a vested interest in the continuation of an arrangement that has outlasted its utility.

To be honest, our politics has been in a stupor for far too long, with mediocrity coming to rule the roost. The syndrome of stagnation has been writ large on the face of our ailing polity steeped in graft, sleaze and moral depravity. The country, as a result, has inexorably lurched towards the brink, hastening a possible disaster.

True, man is a political animal, and democracy is the quintessence of his life. Then there are the questions of fundamental rights, representative government and allied institutions. But they all lose their meaning when they are pursued and promoted at the cost of immeasurable miseries -- the millions suffer.

This country's misguided politics has produced a microscopic band of world-class rich people believing only in self-

aggrandisement and hedonistic consumerism.

At the other end of the spectrum are millions of squatters living in sordid conditions across the country. There has rarely been an attempt to strike a balance between the two through social engineering of sorts, to give a meaning to the life of the latter.

The country's political hustlers busied themselves in making their fortunes, even by plundering

the scraps meant for the destitute. This state of affairs continued for over three decades. This structure of the politics of deprivation had to be demolished at some point.

The present interim government has done just that. Its anger at the powerful, who misused power and looted public property under a plethora of garbs, has fulminated. The power wielders who couldn't be touched by a political government are now on their knees -- something that couldn't even be thought of.

The political heavyweights who considered themselves above the law are brought before the due process of law. Who could have thought that this was possible only months before?

Although politics is meant for public well being, unfortunately no political government used it for that purpose.

The interim government has not only shouldered the responsibility of ensuring the well being of the people voluntarily, it has also undertaken a series of reforms that the public had clamoured for.

Even if the interim government's primary function pertains to providing a level ground for the next election, whenever it is held, the levelling itself involves a complex set of issues.

It is not just ensuring a neutral administration and mutually acceptable Election Commission. The exclusion of black money and muscle power from the electoral process entails a long chain of actions.

A definite set of ground rules is required for the purpose, and framing of a law to bar the participation in elections of criminals, hustlers, money-launderers, and bank-loan defaulters requires close scrutiny.

It is a time consuming exercise, and certainly cannot be accomplished overnight. As repeated frequently by the government, it wants to put democracy on a solid footing before the election schedule is declared.

Also time consuming is the cleansing process undertaken by the joint forces. These steps are not taken everyday. Moreover, there is the danger of half-baked reform, which may create more problems than it solves.

There are problems, which have accumulated for decades in all sectors of governance. They cannot be wished away. For example, all political parties pledged the separation of the judiciary from the executive branch. But when they came to power they started dragging their feet on the issue.

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plank of the parties. But, ultimately, those proved to be mealy-mouthed mendacity. When they came to power they broke their pre-election promises.

If the present CTG carries out meaningful reforms that the political parties are either unable or reluctant to put through, it ought to be considered an achievement. The election, if required, can wait, but a comprehensive reform must precede the election to be meaningful.

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