

Militants and their political patrons

Coordinated action needed to fight them

COMPLAINTS have been lodged with the police against some high-level political figures as well as a district super of police, for patronising the JMB. The latest accusations come in the wake of cases lodged in the recent past against a few other political leaders belonging to the same fold, for aiding and abetting the militants.

The nexus of politicians and terrorists is a dangerous combination, something the media had been writing about but no attention was paid to it by the then alliance government.

We feel that there is a need to focus on the issue of militancy, particularly of the type that we have been victims of over the last several years, in a holistic manner. We understand that there are dedicated anti-terror wings of the intelligence agencies, with training and expertise obtained from abroad. What is needed is a coordinated and collaborative effort that will allow concentration and optimum use of resources. And this can be ensured by a central coordinating agency. We are not aware that such an arrangement exists presently in Bangladesh. A fragmented approach or compartmented actions by the agencies might turn out to be counter productive.

One cannot also overemphasise the need for an anti-terror drive which must be based on a strategy that would not be regime oriented but address the interest of the nation Also, it must be so structured as to ensure uninterrupted execution of anti-terror policies.

But whatever be the strategy, it would bear little fruit if the people were not taken into confidence. Not only would it help to be made aware of the progress of the government in this regard from time to time, the public must be also actively involved in the government's anti-terrorist action plans if the scourge is to be completely rooted out from our soil.

It may not be out of place to mention that the fight against terrorism was high on the agenda of 14th Saarc summit and has found prominence in the Thirty-Point Delhi Declaration. In the spirit of regional cooperation we may seek the collaboration of our neighbours in this endeavour of ours.

Elections and reforms

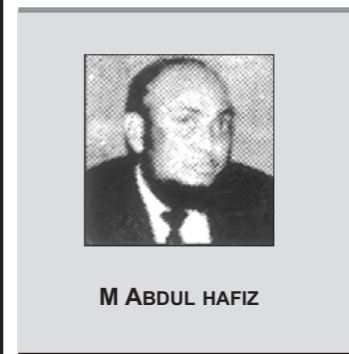
Sheikh Hasina could have stressed both

AWAMI League chief Sheikh Hasina has emphasized an early holding of elections and has wondered why the election commission needs eighteen months before it can consider organizing the polls. We at this newspaper partly echo her sentiments. Hers is only one side of the coin. What we notice has been missing from Sheikh Hasina's position on the elections is an emphasis on the reforms which need to be carried out before the country can actually go to the polls. We have repeatedly stressed the thought that for the country to have a sustainable democratic process, a whole package of reforms must be undertaken and completed.

To be sure, the political parties would like elections to be organized as early as possible. In very practical terms, though, there would hardly be any point in bringing the elections forward without first going into the reforms issue. What is important, for us and we assume for the nation by and large, is that the election issue must run parallel with the reforms agenda. It is an idea the former prime minister could have underlined, to her own and her party's credit. Not much will be gained if the nation is guided to an electoral exercise without a resolution of the problems, which have brought the country to this pass. The measures that have so far been undertaken -- and we can cite here the reconstitution of the election commission and the anti-corruption commission -- should logically lead to a whole plethora of reforms. We expect that job to be done. However, let it also be made clear that the reforms issue must not become a reason for elections to be delayed beyond a reasonable time frame. We have said earlier there must be a good rationale offered behind the eighteen-month deadline the EC has set before elections can be held. We stand by that belief.

Overall, the election commission must re-energise itself if it wishes to convince people it is focused on a timely holding of the voting. The pilot project it plans to launch regarding a simultaneous preparation of a photo-based voter list and national identity cards is quite an appreciable idea. Even so, the feeling persists that the EC is not moving as fast it ought to have. More spirit and speed must come into the job.

The thickening plot



THE country is presently under a state of emergency, with fundamental rights suspended. Open political activities are obviously banned. Also forbidden is indoor politics, which was initially allowed.

There is total gloom in the BNP camp, which has apparently fallen apart with its top leaders languishing in jail. The AL's bravado is confined to the hyperbole emanating from a mercurial Sheikh Hasina who, while on a sojourn to the US, keeps her fingers crossed. But the furore of her now lackadaisical party activists has almost dissipated.

The party offices lie hauntingly lonesome. In the mean-

PERSPECTIVES

The present milieu, which is opaque at the best, is not conducive to a fruitful debate on the important speech. The authorities may, therefore, consider lengthening the tether determining political bounds. Only then can the impending changes in politics, as hinted by the army chief, be transparent and participatory. Or else, the same exercise carried out in a political vacuum will lead to speculation and conjecture, which will not bode well for our future political development.

time, the three-month time frame for an interim government to hold an election is nearing its end. Yet the government is still engaged in wide-ranging reforms and action to hold not just another election but a qualitatively different one, free from the influence of money and muscle.

And the likely delay in accomplishing that does not seem to bother the public. There is a clear apathy toward traditional politics, and the people are prepared to give this government more time.

But it has not altogether stopped the politics in which we, willy-nilly, remain immersed in our everyday life. The hard issues of politics -- the

enhanced transportation cost, the continuing price hike, the nagging power failures and scarcity of water -- stay with us as before, without us being able to give vent to our discontent.

The imposed restrictions of the emergency, resulting in a vacuum of sorts, are also felt by an embarrassed authority, which has to, at times, answer questions having political overtones.

The other day, the concerned adviser was approached by the chief election commissioner, who felt the necessity of some political discourse so that a dialogue with the political parties could be initiated with regard to the electoral reforms.

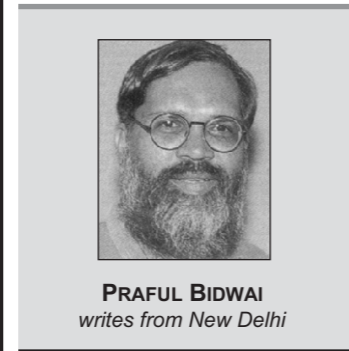
Every time the politics fails, the military brass chides the

political class, while it also painstakingly pulls the "derailed train" of the state back on to the track. The military also has to grudgingly involve itself in something that the politicians fail to ensure in a statesmanlike manner -- a credible election.

While undertaking such a challenging task, if the military develops in it a stake -- the stake for doing the job with military perfection and precision -- it cannot be morally questioned, because it's always the performer's privilege to dictate the terms. Even if it is deja vu all over again, well, that's what the politicians harvested over the years.

It has to be conceded, however, that politics has its own inherent dynamics, which can

Assault on affirmative action



INDIA'S Supreme Court has opened a can of worms by pronouncing itself against reservations for the low and middle castes (other backward classes - OBCs) in central institutions of higher learning.

This halts India's attempt at affirmative action for underprivileged groups, and will widen the growing divide between the higher judiciary and the executive/legislature, besides ranking most political parties.

The judgment comes just when the central institutions were preparing to expand admissions by 54 percent in a phased manner. Now, next year's admission process will exclude OBCs. The government has allocated Rs 3,200 crores to central institutions so that they can expand the number of seats. This represents an attempt to assuage the anti-reservation sentiment.

India's upper castes see the judgment as vindication of their stand against affirmative action. The OBCs and Dalits view it as an assault on their aspirations and entitlements.

If India aspires to be a caring-and-sharing society with a degree of cohesion, it must pursue affirmative action. This may not always take the form of reservations. These are blunt instruments. But that cannot be an argument for opposing affirmative action -- as many upper-caste people do. There can be other supplementary approaches to quotas, including special points for a family history of illiteracy/poor schooling, origins in a backward region, etc. But such a system can evolve only if affirmative action is first accepted.

A big contradiction lies at the heart of the judgment. A two-judge bench, comprised of Justices Arijit Pasayat and L.S. Pant, has ruled against the rationale of a verdict of a 9-judge bench in a 1992 case, which upheld OBC reservations in central government jobs.

The logic of this verdict should apply to university admissions, too. But the Supreme Court says that it means treating "unequals" as "equals."

The judgment comes on top of differing opinions handed down by Supreme Court benches and efforts to play down caste-based discrimination. This is at odds with the evolving global thinking, reflected in the United Nations convention on the elimination of all forms of racial discrimination, ratified by India.

In February, the convention's expert committee held that such "discrimination ... includes... caste," and that the convention applied to India, too. If India is committed to social cohesion, and to eliminating casteism, it should honour the convention and systematically promote

affirmative action.

However, the Pasayat-Panta judgment minimises the importance of affirmative action. It is based on two arguments. First, there are varying estimates of the proportion of OBCs in India's population. Their last census enumeration was in 1931. Without an objective determination of the current proportion, the centre shouldn't have created an OBC quota.

The second, more far-reaching, argument holds that creating quotas is itself invalid, and recommends "a different form of preferential treatment..."

This militates against the logic of reservations -- even for Dalits (Scheduled Castes) -- which is integral to the Constitution. But the court balks at this.

How real is the uncertainty about the OBCs numbers? Opponents of reservations claim that the 1931 census is outdated, and that the post-2000 estimates by the national sample survey (NSS) and the national family health survey contradict the Mandal commission's numbers of 1980.

However, the Mandal com-

mission did not base itself on the 1931 census alone. It constituted a 15-member social scientists' committee under eminent sociologist M N Srinivas to identify OBCs. It held broad-based consultations and prepared four separate schedules for rural and urban areas.

All states were given these for conducting sample surveys in each district. The commission sent out questionnaires and published notices in national dailies inviting public response.

The experts spell out 11 different criteria for backwardness, including caste, low education, income, dependence on manual labour, early age of marriage, school dropout rates, low work-participation rates, etc.

Low income, for instance, was determined on the criterion that the value of family assets, and number of families living in kuccha houses, is 25 percent below the state average. All social, educational and economic indicators were rated by points.

On this basis, the Mandal commission identified 3,743 groups as OBCs. It made a dozen recommendations, of

permeate even the remotest recesses of the human mind. Even if forbidden, politics irresistibly enters the realm of the mind, which is then stirred up by ideas to give shape to things in the society.

A kind of goulash is being constantly brewed in the invisible realm of politics, for the political animals to be fed on. Unless the tight lid covering the cauldron is occasionally removed, the cooked product may be anything but savory.

That politics's inherent dynamics propel it, producing new ideas, equations and polarisations, couldn't be more manifest when none other than the country's army chief-of-staff, aghast and anguished at the state of affairs, had to finally talk politics because that is the vehicle to carry any idea generated by anyone.

In a ground-breaking statement, he dwelt at length on our festering politics and also gave the contour of what our future politics ought to be. In the garb of an academic exercise it was out and out a policy statement.

Few would differ with what the general stated, as well as the

views held by him. Indeed, the polity is in the throes of a change. The old structure of politics will have to be dismantled, to be replaced by a balanced one.

It requires courage to do so. The policy statement struck a favourable chord in the public sentiment, and how the people would like to see the country's future shape of things. But the ideas put across by the general need to be discussed, and merit full-scale deliberation. He certainly wouldn't like to let his speech turn into a soliloquy.

The present milieu, which is opaque at the best, is not conducive to a fruitful debate on the important speech. The authorities may, therefore, consider lengthening the tether determining political bounds.

Only then can the impending changes in politics, as hinted by the army chief, be transparent and participatory. Or else, the same exercise carried out in a political vacuum will lead to speculation and conjecture, which will not bode well for our future political development.

Brig (ret'd) Hafiz is former DG of BIISS.

which reservations was only one. The others included land reform, and programmes for educational and economic upliftment, etc.

The NSS's estimates that OBCs are 32 to 42 percent of the population, and the NFHS's that they're 29.8 percent, are flawed. The NSS is not equipped to survey caste. You need a group of demographers, sociologists and political scientists to do that on a district-wise basis.

The NSS and NFHS used self-ascription. This is unreliable: people describe their caste according to how they think they'll benefit from it.

Yet, even the NSS-NFHS estimates are well above 27 percent. Its not denied that OBCs are severely under-represented in higher educational institutions. There is a strong case for affirmative action in their favour, and an even stronger one for Dalits.

The second argument of the Pasayat-Panta judgment derives from a United States Supreme Court verdict in the Grutter v. Bollinger case, on a black student's admission to the University of Michigan Law School. The court upheld the admission, but only because it was "narrowly tailored" not to discriminate against those who don't belong to racial or ethnic minorities.

To be "narrowly tailored," a race-conscious admissions programme cannot "insulate each category of applicant with certain desired qualifications

from competition with all other applicants." Instead, it should consider race/ethnicity as a "plus" for an applicant.

This rules out quotas or reservations for minority categories, and mandates a points system for disadvantage. In India, most universities don't follow a points system.

The US judgment was pronounced by a court headed by Justice William Rehnquist, an ultra-conservative appointed by Ronald Reagan. It was a setback to the cause of social justice. It is tragic that the Indian Supreme Court, the guardian of a progressive Constitution, should follow a conservative precedent.

If India aspires to be a caring-and-sharing society with a degree of cohesion, it must pursue affirmative action. This may not always take the form of reservations. These are blunt instruments. But that cannot be an argument for opposing affirmative action -- as many upper-caste people do.

There can be other supplementary approaches to quotas, including special points for a family history of illiteracy/poor schooling, origins in a backward region, etc. But such a system can evolve only if affirmative action is first accepted.

That's where the rub lies. India's upper castes have never fully reconciled themselves to affirmative action and sharing power. The new judgment reinforces their resistance.

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Army chief and democratic process



WHILE I fully share Mahfuz Anam's reservations about the army chief's intrusion into politics, and his proposal that we should have our "own brand of democracy," I disagree somewhat with his assessment of the extent of the damage it may have done.

Mahafuz Anam wrote, "...The situation is further complicated by the fact that the chief adviser was away attending his first summit as the head of the government when the speech was made. Imagine his discomfiture when such a fundamental policy speech is made about the future structure of the government without him being anywhere near the picture. How much credibility is he likely to enjoy under these circum-

NO NONSENSE

I can sympathise with the concern that Moeen's behaviour may be setting a poor precedent for future army chiefs, to the detriment of the military code of discipline and democratic governance. But with that said, it seems to me that his concerns for good governance, and unfailing loyalty to the country, outweigh whatever other shortcomings the man may display.

stances? How seriously will the world leaders and global media take him from now on?"

First of all, I thank the army chief, Lt. General Moeen U Ahmed, not only for his role so far but, more importantly, for what he has avoided doing -- displaying the gluttony of an autocrat, like the two erstwhile military usurers.

The war I had envisioned in my January 7 article, "Forgetting freedom fighters," was waged four days later, and has since been spreading to every branch of the government. Echoing my call, and those of the people, General Ahmed proclaimed, "...the time is now to wage a war against corruption, injustice, and thuggery that have pervaded all levels of the society." Don't we smell politics here?

Addressing the freedom fight-

ers at the national parade square on March 27, Gen Ahmed has awakened the nation's conscious, demanding we recognize our true national leaders -- most importantly the father of the nation. He made some light comments in that speech, bashing politicians, but later on received accolades from everywhere.

While delivering the keynote speech at "The challenging interface of democracy and security" conference, Moeen proposed the invention of our own brand of democracy -- a home grown one, if you will. Given our social, cultural, religious and historical traits, he reasoned that "one form of democracy fits all nations" is fallacious. I believe Moeen simply wanted to start a national discourse the same way he articulated his passion for honouring

our leaders.

He has discredited both, the presidential and parliamentary, forms of government that we tried, and called for a balanced framework that would jointly empower the president and the ministers.

This view doesn't invoke any fundamental change in democratic forms of government. It may, instead, reflect his disfavour for concentration of power, consistent with his fervent desire for a free and fair election through reforming the institutions of governance.

While democracies are not without internal conflict, democratic institutions work as vehicles for conflict resolution and, thus, lessen hostility. The democratization of political institutions is overriding, because they shape the expectations, mindset, and

behaviour of politicians and citizens.

While the design of democratic institutions differs according to each country's unique history and culture, there are certain basic principles common to all democracies. So, the proposition for having "our own brand of democracy" is simply "tailoring your shirt to fit your size and shape," and would require constitutional amendment as enunciated by Law Adviser Mainul Hossain.

Our topsy-turvy path to parliamentary democracy in 1991 has some common elements with that of South Korea. One may wonder if there is anything for us to learn from South Korea.

Having undergone a transition from military authoritarian rule in 1987, Korea quickly became the most forceful new democracy in East Asia. But the onset of a major economic fiasco revealed severe problems with Korea's political and economic institutions.

With those crises -- and the subsequent election of the country's most determined opposition figure as president -- have cropped up new opportunities for institutional reform.

Larry Diamond of Hoover

Institution, and editor of the Journal of Democracy, suggests that in order to grasp what made democracy thrive in South Korea one must analyze "A wide-ranging and balanced account of the key factors shaping the quality and viability of Korean democracy -- including the political party system, executive-legislative relations, political and economic reform, local government, civil society, the mass media, and the changing attitudes of the Korean people."

General Ahmed may have a point about power sharing between the prime minister and the president, but the observed lack of success in either form of governance is due to inept leadership by incompetent and ill-educated chief executives concerned only with the betterment of their friends and party loyalists.

Neither form of governance was given a chance to operate with constitutionally independent institutions, such as the judiciary, ACC, EC, and finally a parliament to question political appointees for transparency and accountability. Add to this the media, which never enjoyed as much freedom as it does today.

It seems that whenever the army chief speaks, everyone listens and claps loudly. He seems to be full of new ideas, displays an enlightened mind, and exudes wisdom and knowledge. He enjoys the limelight attendant with public discourse, although under the cover of the state of emergency, yet his respect for rule of law seems impeccable, as revealed by his penchant for reforming the institutions of democracy and good governance.

Moeen keeps reminding us that the people are paying the price for the inept and illiterate leadership of the past. The collateral damage of the rule of "mother and son," propelled by BNP politicians' evolving doctrine of "BNP means Zia family," has nearly incapacitated all branches of the government and has brought the party utter humiliation and political failure. Moeen thus, rightfully, reminded his audience that "Power must be balanced, not tilted towards any family and dynasty."

While applauding his key-note speech I raised my eyebrows along with those holding their pent-up reactions against the

army chief's meddling in political issues -- not for what he says, but for increasingly enmeshing himself in political discourses unbecoming of an active military officer. However, Col (rt'd) Jafar Imam, who was present during Moeen's key-note address, defended the army chief as a partner of the reformist government during the ongoing state of emergency.

Everything has a time and place. While Moeen insists that the army is not running the country, he seems to blossom at every opportunity to articulate his political visions, as if to suggest obliquely "I am in charge."

I can sympathise with the concern that Moeen's behaviour may be setting a poor precedent for future army chiefs, to the detriment of the military code of discipline and democratic governance. But with that said, it seems to me that his concerns for good governance, and unfailing loyalty to the country, outweigh whatever other shortcomings the man may display.

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