

Project implementation story

Falling skeletons from the cupboard

THE Implementation, Monitoring and Evaluation Division (IMED) of the Ministry of Planning in a report on the so-called completed ADB projects for 2004-05 fiscal has highlighted the time and cost overruns of projects that opened floodgates of corruption and plunder of scarce resources.

In spite of the 'completed' status of projects many of them on physical verification were found to be incomplete, let alone the poor quality of the work done. From the whole litany of allegations we pick out some to underline the level of indiscipline and misfeasance: frequent changes in engineering designs, appointment of consultants and posting of project directors together with inclusion of new items and contractors drawing bills without providing services.

Of the three responsibilities vested in the IMED i.e. implementation, monitoring and evaluation, only the last one seems to have been attended to by the important wing of the Planning Ministry. The point we would like to stress here is why the oversight role of the IMED was not played out in the first place to prevent irregularities occurring in project implementation. For all we know, whilst the ERD negotiates foreign assistance, IMED is associated with looking after the rules and regulations aspects. More to the point, a purchase committee dealing with a procurement worth above Taka 25 crore takes on board a representative from the IMED itself. So it appears that the IMED is involved in every important step of the way. That being the case, it has to take its share of the blame for the implementation related deficiencies and malpractice. Rather than evaluating 'completed' projects in a post-facto manner it must intervene at the implementation stages as and when required to stop messing around with projects.

But there is a point about sidelining the IMED within the Planning Ministry although potentially it is as important as the planning division of the ministry itself. Our suggestion is while the oversight capacity of the IMED must be strengthened, its findings about the various ministries' handling of projects should be taken seriously by all concerned.

The IMED is credited with having unearthed the irregularities and corruption in project implementation. Now that it has done so, action should follow against those guilty of such wrongdoing.

A public interest issue

Re-fixing of autorickshaw fare, deposit goes awry

THE problems that commuters were facing due to CNG autorickshaw drivers' charging exorbitant fares, and often refusing to take short distance passengers, appear to have been compounded by the steps taken recently to address them.

The transport authorities made an attempt to protect the passengers' interest by introducing a system that would compel the drivers to go by the fare meter. The fare was raised a bit, while the owners were asked to reduce the amount of money that they take from drivers on a daily basis. So it would have served the drivers well and the passengers would also be benefited if they could pay according to the meter. But the measure has recoiled as owners have decided to introduce two shifts, instead of the usual one, to recover the deposit-related loss. And drivers, now left with much less time in a shift, are employing the same old method of fixing the fares according to their own needs. Now the question is, where do the poor commuters stand in this highly chaotic situation? They are now being compelled to pay even more than they used to.

The rescue operation has clearly been an abortive one so far. So, the BRTA, the organisation in charge of supervising the public transport system in the city, has to address it immediately. It has to persuade both the owners and drivers to comply with the new fare and deposit charts.

One can hardly overlook the role of autorickshaws, as the city is yet to have a public transport system capable of handling an ever-increasing number of commuters. A large segment of public interest is involved here.

The introduction of the meter system was welcomed because it was thought to be the best way to protect commuters' interest. But the drivers and owners found a way to circumvent it and get their own interests served in violation of the law.

Obviously, this cannot continue for an indefinite period of time; the noose of the law must be tightened to make sure that the rules are not violated.

Where is the counter-terror strategy?



Brig Gen
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THE religious militants continue to strike. It would be incorrect to suggest that they have struck anew. The May 1 blasts are a part of their continuing terror acts that commenced with the Udichi bombings of 1999 through the Aug 17, 2005 country-wide blasts, killing of the judges in Jhalakhati and the PP of that case, in which 6 JMB top brass were hanged. These are all a part of planned terrorist acts. They have not "reappeared," since they had never disappeared in the first place.

We had, since the arrests of the JMB leaders in March 2006, warned against any euphoria that the arrests would help end religious militancy in Bangladesh. Anyone who based subsequent policies and actions on this premise would be moving in a totally wrong direction was what we had warned against, too.

But it seems that most of us had been dwelling on the wrong premise. The question that I was asked, by foreign media too, was how is it that the terrorist acts have not subsided even after the hanging of

the top leaders of the militant outfit; as if the natural corollary of the hangings was that the militants would just pack up and go home, giving their mission up as a bad job.

The May Day bomb blasts at three communication centers in the country is not a signal announcing the appearance of a new militant group, but perhaps a ploy to lay red herrings to divert the attention of the law enforcing agencies. It may also be a notice of what is to come, and also an indication that the second string leadership has taken over the command of the proscribed militant group; and it is they who are planning and directing the actions of the militants.

What we have seen over the last one year is a natural reaction of the militants, unexpected only to those who are not fully aware of the terrorists' methods and means of operation. It would be folly to dismiss the recent bombings lightly.

We must not fall into the trap of the denial syndrome that was so much in evidence during the last 4-party alliance government, and explain it away as an effort to tarnish the image of the government. Tarnishing images is not quite a cost

effective way of attaining the objectives of the terrorists. It's a waste of effort on their part.

The JMB, much as one would like to think otherwise, has a substantial membership in its core group, including women activists. There are likely to be many more as sleepers, waiting to move on orders from the leaders. Theirs is a well-established organization, and well structured too; and what about the "Jaded" al Qaeda? I have no doubt that they are old wine in a new bottle. It has become fashionable to use the name al Qaeda because it accords them validity while drawing attention of the media and the public.

There is the remote possibility that these elements may have an organic link with the international terrorist organisation, although there can be no doubt that a moral,

motivational and inspirational link exists between them. As the 2006 US National Intelligence Estimate had pointed out, many new terror cells have grown up independently, without any links to any central structure. They restrict their communications to their own members only, and derive their ideological

and tactical inspiration from the many Islamic web sites.

However, the reality is that the religious militants in our country have got their strategy worked out, as is apparent from their activities. The question is whether we, too, have ours worked out? That is the most important question, which should be addressed in all earnestness by the relevant authority and agencies.

While the intelligence agencies were not able to anticipate the three blasts, they had been successful in arresting a large number of the militant cadres in the last one year, which indicates a degree of success in preventing the perpetration of more and frequent terrorist acts. But a strategy, let alone a good counter-terrorism strategy, has other important components.

By all indications, the security forces are being reactive rather than being pro-active. There is the need to evolve both counter-terrorism as well as anti-terrorism strategy. The former involves going after and rooting out the hard-core elements of the group, while the latter involves a strategy to prevent terrorism taking roots by preventing both

physical and psychological penetration by hardening the likely targets.

We ought to consider the 5-Ds of Kofi Annan i.e. DISSUADE (the affected party from joining the ranks), DENY (the means to the terrorists), DETER (support to the terrorists), DEVELOP (states' capacity to combat) and DEFEND (human rights while combating terrorists), while formulating our own strategy.

As likely as not, there is perhaps no strategy currently in place to combat terrorism in Bangladesh, although there may be efforts underway to put one together at the moment. What is baffling, although not unexpected, is the secrecy that shrouds such an exercise. What our policy makers forget is the very essential reality that combating terrorism (like all other types of war) requires the concerted effort of the Clausewitzian "Trinity" i.e. the government, the security forces and the people.

The people must not only be made aware of the government strategy, they must, at least in our case, be made a part of the anti-terrorism strategy. It is important to remember, as one scholar of the subject warns, "Terrorism is a thinking man's war that requires greater awareness and participation from the people -- not just the military and government agencies."

Thus, one cannot impress more on the need to formulate a counter-terrorism strategy for Bangladesh on an urgent basis. In this regard there is a strong rationale for seeking help from those that have expe-

rience in addressing such situations over many years, and, over time with experience, have been able to formulate strategies to combat terrorism and terror related violence. Of course, no two countries' situations are alike.

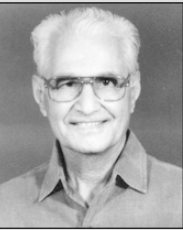
Strategies evolved for one country may not be replicable in another. The policy and operational plans must be homegrown there is no doubt, but in a violence ridden environment driven by terrorist acts there are common threads and common experiences that, which shared, will help make it easier to combat the phenomenon. And there is, of course, the technical aspect of the operation that we lack, which cooperation with our friends can make up for.

While we are looking for an appropriate strategy, what we also seem to lack in our counter-terrorism effort is the central direction that such operation demands. We are not aware of any central organisation that directs and coordinates all the actions involved in the conduct of the operation.

While all the major intelligence agencies have their own counter-terrorism bureau, one wonders if they are reporting to or taking guidance from one central authority. Next to a good counter-terror strategy is the need for a central authority for overall control and direction to successfully operationalise that strategy.

The author is Editor, Defence & Strategic Affairs, The Daily Star.

The people have spoken



MB NAQVI
writes from Karachi

THE welcome and love that Mr. Iftikhar Mohammad Chaudhry, the non-functional chief justice of Pakistan, received from the legal fraternity and the common people of Punjab extended a road journey from Rawalpindi to Lahore, that normally takes four to five hours, to 23 hours.

The delay was caused by two factors: the state created all kinds of hurdles to keep swarms of people from coming on to the Grand Trunk Road to see or touch Justice Chaudhry. The people have made an eloquent and decisive political statement: they have vindicated the CJP and sided with what the CJP, on forced leave, stands for.

The regime is shrill: these lawyers are politicizing a purely legal or judicial issue while the subject is sub judice. But what is sub judice? SJC and the Supreme Court have to determine the truth or otherwise of specific charges contained in the Presidential Reference of March 9.

Who cares about the truth or falsehood of those charges? For the legal fraternity and the people, the question at issue now is different and strictly political: Is the country's executive authority supreme, and

can it order the judiciary around (and parliaments and media)?

As for the truth or otherwise of what Justice Iftikhar Chaudhry has been impugned for, well, the SJC and SCP will decide. The writer, or anyone else, has no business to comment; none is being offered here. But it is fair to say that Justice Chaudhry has objected to certain judges, all junior to him, who should not sit on judgement on him due to perceived bias. What is extraordinary but relevant is the political background.

Now, the exciting cause of all this was the shabby way in which Justice Chaudhry was treated on March 9 in the Army House, and which was seen in the perspective of the last 43 years' history of the supremacy of army over the judiciary.

The perspective includes the known, and highly controversial, political plans of the army chief, Gen. Pervez Musharraf, to go on being army chief and the president till 2012 by getting himself elected from the existing assemblies that are scheduled to go home next November -- depriving the incoming new assemblies of the right to elect the president.

Meantime, there was also the question of the quality of the polls

under the existing distribution of powers, and the way the polls are likely to be held. The people and many lawyers want the upcoming polls to be transparently free -- not like the doctored polls of 2002.

Also in General Musharraf's perspective, Justice Chaudhry must have appeared like to him. Why? Because of a large number of constitutional petitions challenging various aspects of that and other polls, after the election of the president.

Justice Chaudhry could not be relied upon to side with the general. Which is why a campaign of character assassination against Justice Chaudhry was inspired in Feb last with a view to forcing him to resign. Iftikhar Chaudhry, unexpectedly, refused to do so silently like some others.

Before the apex court and SJC came into the picture, these events and their preparations were pure politics by the regime. Justice Chaudhry's refusal to oblige the regime has opened a new chapter of resistance by the judiciary and the legal profession to the military's right to call all the shots.

What had hitherto happened was a continuously decisive political role of the military since 1953, and its ritual validation by the apex

Court under the infamous doctrine of "state necessity." All military dictators, including those who ruled from behind the scenes from 1988 to 1999, enjoyed the judiciary's obedient "approval."

Justice Chaudhry is the first CJP who had the guts to disobey the army chief. That act of moral courage touched the deepest chords in Pakistanis' hearts and has caught their imagination. Hence May 5's and 6's exciting and uplifting events.

The legal profession and the people are only secondarily interested in the person of Mr. Iftikhar Chaudhry; the main thrust of their campaign is the supremacy of law over all organs of state, which means having a non-controversial Constitution as the supreme law from which all laws are to flow.

The superior judiciary should ensure that the Constitution is obeyed by all organs of state. That is the foundation of democracy, which is all about human rights of all citizens, as equals, to be ensured by a free judiciary.

The point about the grand spectacles of this May 5 and 6 is the start of a New Pakistan Movement -- for a New Pakistan that will be a simple democracy (without adjectives) where everything will be done

according to the Constitution and where the judiciary, and indeed the whole legal fraternity, are the guardian of the Constitution in cooperation with all citizens.

The military is a necessary department of the government. But it must be made accountable to the people and the state through close parliamentary oversight -- quite like the bureaucracy. To repeat, May 5 and 6 are only a beginning. Now onward, it is incumbent on political parties, TUs, Academia and NGOs, to take up the torch and move forward.

Let there be no cobwebs about democracy. It is not a rule by angels, clerics or Plato-like philosophers. Any parliament has to reflect the society that elected it. Elections must be free and fair. The society, its organs of the government, media, big business and other special interest groups, must accept the Constitution and the Judiciary as umpires.

Democracy's distinguishing mark is actually enjoyed freedoms by all citizens, and dispensation of justice to all. Without this, democracy is often an unclear, noisy and disorderly affair.

Its virtues are three: it sets all citizens free; and secondly provides peaceful and orderly succession of rulers. The third virtue, needless to say, is the rule of law and independence of the judiciary, instead of tin pot dictators.

The task right now is to resolve this judicial crisis. The simplest way is for Gen. Musharraf to heed the advice of his predecessor in the Army House: withdraw the reference and reinstate the CJP. One

realizes that human pride and prejudice, not to mention ambition and self-interest, may stand in the way. That advice may not prove palatable. But then, the alternative is his dangerous struggle with what has now emerged as the will of the people.

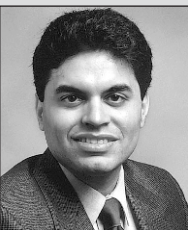
Let no sycophants misguide the army chief that all this hullabaloo is for the sake of Mr. Chaudhry alone. The matter is no longer about one man; even Mr. Chaudhry now has no control over what he has helped launch. It is now the people's movement for the supremacy of law and Constitution; it will be hard even for apex court judges to disregard what is a powerful -- maybe fateful -- signal.

Another immediate issue is the forthcoming elections for National and Provincial Assemblies: how they can be made transparently free. Intelligence agencies have to be brought under effective legislative and judicial control. The mechanics of holding the presidential polls also will then fall into place.

Let no one miss the high significance of last Saturday and Sunday's events. People of Punjab have done Pakistan proud; Pakistan is stronger today because of this inspiring spectacle, and will go on becoming stronger if this New Pakistan Movement is not thwarted or betrayed by the disunity of parties. From now on it is for the civil society to take it forward. Failure in this task may hurt Pakistan irreparably.

MB Naqvi is a leading Pakistani columnist.

A quiet prayer for democracy



FAREED ZAKARIA
writes from Washington

OVER the past five years, President Bush has made various efforts to reform the Arab world. They have all stumbled over one enormous obstacle. In the region, the people who win elections are not democrats. They seem to believe in elections (at least as long as they win), but not in the individual rights, laws and traditions that create a genuine liberal democracy.

The administration has pushed

The European Union and Condoleezza Rice have warned Turkey's generals to respect the democratic process. My guess is that they will, and not only because of outside pressure. Over the past five years, Turkey has gone through a quiet revolution, and is now an increasingly genuine liberal democracy. The secular demonstrators against the AK held up signs that said "No sharia, no coup." That is what most Turks seem to want. They will not accept being treated like denizens of a banana republic.

for elections in Iraq, Palestine, Lebanon and Egypt, only to find that religious fundamentalists have triumphed in most of them. Except in Turkey. In Turkey the popular ruling party, the AK -- despite some background with political Islam -- has proved to be the most open, modern and liberal political movement in Turkey's history.

That extraordinary achievement may now be in peril because of the overreaction of Turkey's secular (and unelected) establishment.

Political and legal maneuvering

aside, the issue at stake is very simple. Does the AK Party have a hidden Islamic agenda that it would implement once its nominee for the presidency, Abdullah Gul, attained that office?

I put that question to the urbane Gul, currently the foreign minister, during a phone conversation last week. "No," he said flatly. "But why listen to what I'm saying now? Look at what we have done in government for four and a half years. We have worked harder than any party in Turkey's history to make this

country a member of the European Union. We have passed hundreds of laws that have freed up the economy and strengthened human rights. Why would we do this if we were trying to Islamize Turkey?"

I asked him whether he thought Turkey should adopt Sharia, Islamic law, which is a goal of almost all Islamist parties around the world. "No," he replied. "There is no possibility of introducing Sharia in Turkey. We are harmonizing Turkey's laws with the EU's standards in every area. Is this Sharia?"

Gul is right. The secular establishment's suspicions about the AK are best described by Turkish columnist Mustafa Akyul as "fact-free paranoia." The army memorandum accusing the AK of Islamic tendencies points, as evidence of an Islamic agenda, to two isolated cases where headmasters allowed students to sing Quranic verses and celebrate Muhammad's birthday on Turkey's Republic Day. That's not exactly a sign of an impending theocracy.

The other issue that keeps coming up is the headscarf which, under Turkey's coercive secularism, is actually banned in public buildings. Gul's wife wears one, and Turkey's elite are in a tizzy that a man who will occupy Kemal Ataturk's position has a wife in a headscarf. Prime Minister Recep Tayyip Erdogan's daughters felt similarly and went to Indiana University, where they had

the freedom to wear whatever they wanted -- unlike in Turkey.

"I have no intention of forcing or even asking anyone to wear a headscarf," Gul explained. "It's a matter of personal choice. Not all the women in my family wear them. If I don't ask my family to do it, why would I ask others? In fact, were I to try to force Turks to wear headscarves, there would be a negative reaction from my own family."

The crucial player now will be the Turkish armed forces, which have deposed four governments over the past five decades. I asked Gul what he thought their attitude was going to be as events unfolded. "I have talked with the army chiefs several times in the last week," he said. "I am sure that they will respect the democratic process. (interfering with it) is not any part of the army's role in a modern democracy. But I understand that they have con-

cerns, and we will work things out together. As a Turk I am proud of the armed forces. And as foreign minister I have had excellent dealings with them."

I asked Gul whether Islam and democracy were compatible. "Of course," he said. "Turkey is a Muslim country. But that doesn't mean we should mix Islam and politics. It would be bad for both." Rejecting any comparison between the AK and Egypt's Muslim Brotherhood, he said: "We are not an Islamic party. Religion is a matter for individuals, not politics. The Turkish Constitution speaks of a secular state, and we agree with that."

"I don't like Islamic political parties," Gul added. "But as Muslim societies democratize, you will see greater religious expression everywhere in society. It is a consequence of democracy. People in Muslim countries are devout, socially con-

servative ... You cannot fight against this. You have to understand it and allow some expression of this belief."

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