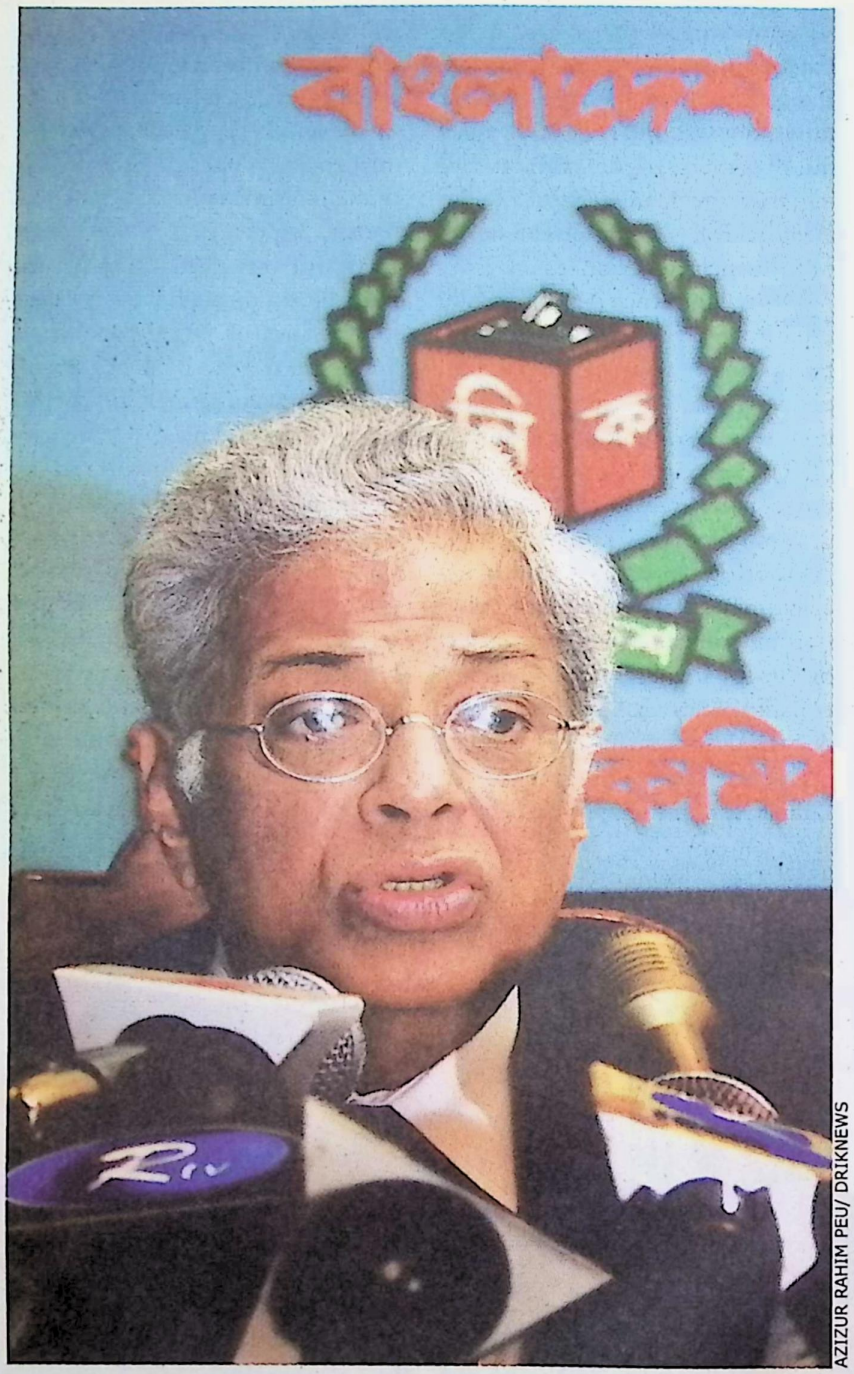
Bangladesh Supreme Court passed a judgment requiring candidates in Parliamentary elections to disclose with their nomination papers information about their education, income, assets, loans, criminal records etc. in the form of affidavits. Going out of the normal procedure, a third party, who completely misrepresented himself, was allowed to file a public interest litigation to appeal against the judgment after the judgment was already implemented in five by-elections. Later, on December 19, 2006, only two days before the filing of the nomination papers for the elections scheduled for January 22, the vacation judge of the Appellate Division unilaterally issued a stay on the judgment, although a 4-judge regular bench of the Appellate Division, headed by the chief justice, did not do so earlier. In unmatched haste, the order was transmitted to the EC on the same day and the Commission instantaneously implemented it.

Subsequently, the relevant bench of the Appellate Division accepted the appeal and, thus, overturned the entire High Court judgments, in spite of the fact that the appellant objected to the disclosure of only educational qualifications. After loud protests from the opposing lawyers, the court, however, recalled its judgment in a few hours, staging an unprecedented drama. The saga of undue official influence on the judiciary with respect to this important case appears to have ended, as the full court bench of the Appellate Division recently found that fabricated documents were used to file the appeal, which upheld the High Court judgment. Needless to say, under the influence of the government in power, undue means, deception and fraud were committed at almost every step of the way of the appeal process of this important case.



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To conclude, it is clear that money and muscle have been widely used in Bangladesh to influence election results. This helped create a government of, by and for the vested interests in the country. It fact, we seem to have the best democracy that money and muscle can buy. Undue official influence on the election machinery and other relevant institutions over the years pushed things further to an intolerable and unsustainable level. It is no wonder then that our democratic system collapsed on January 11, 2007. If we are to now redress the situation, we must urgently embark on systematic electoral and institutional reforms.

Badiul Alam Majumdar *is Secretary, Shujan.*