

Towards a new era for people's right to know

Good measure that political parties must endorse

WE welcome the council of advisers' giving final approval to the Right to Information Ordinance 2008 and commend the government for this action. Now, we believe, it is important that as soon as the ordinance is promulgated through presidential assent, instructions must go out to all ministries, directorates, departments, corporations and outlying offices for getting ready and set to provide information to the public on demand. To this end, government offices must be prepared, equipped and trained to cater to demands for information that are bound to arise in consequence of the law. No gaps should be allowed to develop around the links to the chain of information. It is also crucially important that a level of receptivity to requests for information be built into the system by undertaking motivational activities aimed at changing the mindset of government functionaries.

There are, even as we welcome the adoption of the RTI, concerns for implementation remain that need to be addressed. In the first place, the spirit needs to be instilled in the public that they now have the right to seek information about matters affecting their lives but that they have to fall into a habit of invoking it. Secondly, they will have to be acquainted with the procedures for seeking information. Furthermore, it should be ensured that queries for information are not hamstrung by bureaucratic procedures. The sad legacy of the past is that red tape has always acted as a barrier between the people and the government, all the way from British colonial times right down to the present. If the RTI is to prove effectual and productive, all those barriers must be done away with.

We must remember that no matter how forward-looking or modern a law is, it is rendered meaningless when the machinery to implement it is either not there or exists in toothless fashion. The RTI must buck this trend and the mechanics of its operation must be made functional. The encouraging part here is that new posts will be created in most government offices and NGOs with the specific purpose of supplying information to those who ask for it within twenty days of the receipt of applications for such information from them. Another good bit is the provision relating to issues of life and death and arrest and release from prison. With the authorities obliged to provide primary information on these issues within twenty four hours, this surely is symbolic of progress.

While we congratulate the caretaker government on taking such a crucial step in the public interest, we expect that the political parties will in the coming days not only endorse the RTI but also own it as one of the pledges in their election manifestoes. Their commitment to the measure must be total, in the larger interest of democracy.

Police reform is too important to brook delay

IGP's frustration is justified

THE admission of the IGP that the police is a 'weak force' is only an authentic statement of fact. Come as the comments do, from the chief of a force that has as its major responsibility the maintenance of law and order and internal security, the frustration is understandable and justified. It underscores the need to effect police reform urgently.

The IG has brought out the major weakness insofar as it relates to performing one of its main tasks, that of investigation. It reconfirms, if ever reconfirmation was needed, the fact that because of this major lacuna many of the important cases have fallen through. This has been due mainly to the uncalled for political influence that was brought to bear on police work.

This brings us to the central question -- that of police reform. The proposed ordinance is lying with the home ministry since middle of June 2007, and a 32-member committee was formed sometime back, to 'review' the proposals. We fail to understand why the Draft Ordinance is gathering dust on the table of bureaucrats. We would like to echo the sentiments of the police chief that there is perhaps resistance from certain vested quarters that is standing in the way of the Draft Reform being approved by the caretaker government.

It is preposterous that an independent country that was freed from the shackles of colonial rule more than sixty years ago, and has existed as a sovereign nation for the last 37 years, has to depend on an archaic, antiquated and anachronistic set of colonial rules to run its police. The Police Act of 1861, enacted in the aftermath of the First War of Independence, was an instrument of the colonial powers to suppress dissent and crush any movement towards independence. It is ludicrous that it is being used even to this day as a coercive arm of the party in power, as an instrument to chastise political opponents and silence critics.

The political interference has been so blatant in the past that the police not only became the ruling party's handmaiden, its different agencies, particularly the investigation branch, were made dysfunctional to the extent that it also adversely affected our national security while serving petty party interest. The investigation of the 21 August bomb attack is a case in point.

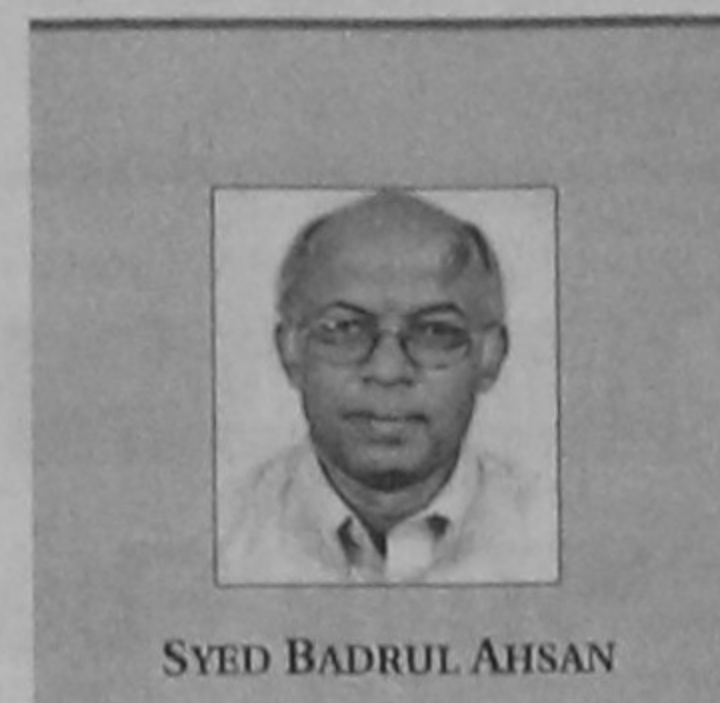
In our assessment the proposed police ordinance is a fairly wholesome document, which is the product of extensive deliberations and exchange of views between the police and a wide cross-section of the people. It has provisions that will not only make police more accountable, it also makes undue interference in its function a punishable act.

There is a growing acknowledgement within the force for the need to change. Why should anyone stand in their way?

The RPO may not be perfect, and yet...

GROUND REALITIES

There is one other provision in the RPO that makes little sense. It is that small matter of a no-vote. Now, observe the reality as the particular provision envisages it. If fifty percent of voters cast "no" votes, meaning they do not support any candidate in a constituency, the election to that constituency will be deemed invalid.



SYED BADRUL AHSAN

HERE are a good number of reasons why the Representation of People Ordinance can turn out to be a good thing after all. And that is a point the Bangladesh Nationalist Party and its allies would do well to take note of. No, we are not suggesting that everything that has come within the ambit of the RPO promises the moon for us. It does not.

For instance, you cannot really decree that a political party not have front organisations, or that students and workers cannot align themselves with a political party of their choosing. There are places across the globe where parties do have front organisations, and certainly much good has come of the exercise.

There is something else an individual truly holding faith in democracy will not be able to agree to. And that is the provision that an individual can concurrently be a candidate for parliament from three constituencies.

Of course, given that earlier a man or a woman could be a candidate in five constituencies, three is quite an improvement. But it is not enough, if you really

believe that the electorate should be in a position to have its opinion expressed and, more importantly, respected.

A big chunk of that respect goes missing when an individual is permitted by the law to take part in parliamentary elections from a multiplicity of constituencies. Why must a single individual, assuming that we all subscribe to the principles of democracy, be a candidate in three places?

You do not see such a state of circumstance in the genuine, substantive democracies of the world. And you do not because of the belief that an individual can only represent, or seek to represent, a single electoral region.

If he wins the election, nothing could be more wonderful. And if he does not, well, he simply concedes and hopes that at a future election those same voters will give him a fresh new chance in parliamentary politics.

The point here is that a candidate either wins or loses. If he loses, perhaps the country will miss his presence in Parliament. But the bigger point is that if the electorate does not want him, he will have no choice but to stay out.

The bottom line here then is patent: let Bangladesh's political system graduate to a level where it does not any more ensure that a politician get into the legislature some way or the other, that he simply must not find himself in a situation where he is no more a lawmaker. Let the system develop in a way that may even have the president or chairperson of a party lose her or his seat, and so stay out of office or a legislative seat until such time as she or he can make a comeback.

There is one other provision in the RPO that makes little sense. It is that small matter of a no-vote. Now, observe the reality as the particular provision envisages it. If fifty percent of voters cast "no" votes, meaning they do not support any candidate in a constituency, the election to that constituency will be deemed invalid.

That is all very fine, but what makes the Election Commission assume that there will be constituencies where fifty percent of the voters will trek to the polling booths simply to register their disapproval of the candidates?

More pointedly, if voters are unwilling to support any candidate, indeed if they are indifferent to the entire electoral process

themselves, they will stay home. You simply cannot expect citizens to go down to the polling stations merely to say they are not voting for any one of the candidates. Besides -- and here is something to focus on -- does anyone in this country realistically expect circumstances where half the voting electorate will nullify an election through a no-vote?

Let all that be. Proceed now to the better, more qualitative aspects of the RPO. You cannot really take issue with the move to have overseas units of the nation's political parties disbanded. A nation's politics must per se remain confined to the territorial parameters of the country.

But when units of the Awami League and the Bangladesh Nationalist Party, besides those of others, wage local Bengali political battles in distant London, New York and Washington, the result is a deeply divided Bengali community.

These Bengalis are citizens of their adopted countries and yet are not averse to engaging in the bitterness that is so much a political reality back home. Additionally, a transplant of local politics on to foreign land effec-

tively prevents the growth of a cultured, sophisticated class of Bengalis abroad.

It is a ghetto that takes shape, a sight that belies the political and cultural heritage of Bangladesh. Let there be no mistake about it: the sooner these overseas outfits of national political organisations are legally ruled out of existence, the better off we will all be as a society before the international community.

A charming bit of the RPO comes in the stipulation relating to retired civil and defence professionals wishing to carve a niche for themselves in politics. That these novice politicians must wait three years before they can contest elections certainly is reassuring, for voters as well as party leaders and workers.

For far longer than we can imagine, newly retired military officers and freshly superannuated bureaucrats have made a quick entry into politics through displacing party veterans and swiftly taking up their new positions as members of parliament, sometimes as ministers.

That has not gone down well with the country, owing to the very well-placed notion that such an infiltration of politics by individuals who have already enjoyed power and its perquisites through being part of the administrative machinery are, again, in a position to displace all the political men and women who have for ages suffered -- through imprisonment, marches on the streets, police action -- in the interest of democracy.

Of course, every individual has

a right to be part of politics, indeed to reinvent himself as a politician. But let him not think of politics as an easy route back to social influence. Let him come up through a plain, proper political process. Let no retired ambassador join a party in the expectation that when the party goes to power he can go back to his old department, this time as minister for foreign affairs.

Elitism cannot be part of politics. But when you permit retired soldiers and civil servants to take the short leap from being servants of the republic to being its lawmakers, you encourage precisely that elitism.

The RPO may not be a perfect document, but it surely is a good beginning. Its emphases on women being part of the political party structure, the necessity of political party registration, and the finalisation of nominations on the recommendations of local party units are steps that promise to underscore democracy.

These are all ideas that should have been brought in and implemented by the political parties in all these years that have gone by. Had they upheld the principles of democracy, we would not be in the bind we are in today.

The cult of personality, the rise of sycophancy, the ascendancy of corruption and the growth of mediocrity would all be strange tales we would have heard in huge disbelief. They would not be part of the real world we inhabit today.

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Between a rock and a hard place

Taliban's hosting of international terrorists inside Afghanistan, and allegedly also inside Pakistan, over the years before and after the New York attack on 9/11 has made the situation further complicated for Islamabad as the country has now to suffer the unenviable position of being both a partner and a suspect in the US-led international war on terror.

F.A. SHAMIM AHMED

THE devastating attack on the Marriott hotel in Islamabad is a poignant reminder of the serious challenge the Pakistan government faces in the war on terror. The challenge is certainly staggering, and more complicated than merely viewing it as the consequence of the government's failure to go all-out against the terrorists. Neither can it be simplified by looking at the problem through the prism of "you are either with us or against us."

Islamabad Marriott, which suffered two other major bomb attacks in the course of the last four years, is located at the heart of the Pakistan capital, and is surrounded by important government blocks, such as the presidency, the prime minister's residence and office, federal secretariat complex, parliament building, supreme court, foreign ministry, and other establishments.

The diplomatic enclave is just about a kilometre away. The fact that a truck with a cargo of one ton of live explosives could reach the hotel driving through the route that goes past so many

important government buildings, many of which have security-check road blocks, is by itself mind-blowing.

The security arrangement in that part of the town, or for that matter in the entire federal capital, would have been particularly stringent yesterday for the fact that President Zardari had, earlier in the day, addressed the joint session of the parliament that was attended by the entire federal cabinet, parliamentarians, services chiefs, diplomats, provincial governors and diplomats.

Later in the evening, as the ton-load truck blew itself up at the entrance of the Marriott, President Zardari, Prime Minister Gilani and the top leadership had assembled at the Prime Minister's house for iftar.

The answer to the baffling question of how the killer truck made its way through has not yet been found, but a serious security lapse would certainly be a major suspect here.

The signs of carnage and devastation that the presently skeletal Islamabad Marriott wears is, in fact, one of the faces on the mosaic of scarred patches all over

Pakistan, which has been paying an enormous toll in its war on terror over the past few years.

It is also the latest in a pattern of violence that has claimed the life of Benazir Bhutto after an earlier attempt on her upon return to Pakistan from exile last year, twice saw former president Musharraf almost into the jaws of death, a close call for former prime minister Shaukat Aziz, kidnapping and gruesome murder of Wall Street Journal correspondent Daniel Pearl, ghastly murder of worshippers at a church in Islamabad, and so many other incidences that are not listed here.

The hydra-headed monster in Pakistan is the result of a combination of factors, the enumeration of which must begin with the handling of the Afghan war by President Ziaul Huq during the Soviet occupation.

Patronage of the Afghan Mujahideen outfits -- at the behest of those who, ironically, now criticise Islamabad most vociferously for the alleged lack of cooperation in the war on terror -- through a process of intervention by the intelligence

agencies over which the government had clearly lost control, and playing them one against the other, created more foes than friends for Pakistan in Afghanistan.

Midwifing the birth of Taliban after several failed attempts by Islamabad at brokering peace in Afghanistan following the withdrawal of the Russian troops was an act that Pakistan will never stop ruing.

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The fact that the situation in Pakistan has come to such a pass, where terrorists are wreaking havoc on the country, is due both to mishandling and inept handling of the problem of terror.

Mishandling because of the political imperatives of the previous unpopular governments, which had to ingratiate themselves with political elements with soft spots for the terrorists.

The inept handling possibly has a lot to do with the capacity of Pakistan to effectively deal with the monster of terrorism. To put the blame for that on elements in the armed forces, par-



ticularly on the intelligence agencies, is rather an easy way of looking at it.

The main problem is capacity and wherewithal. Drafting outside help without direct intervention in the absence of appropriate capacity and wherewithal would be like expecting to have an omelette without breaking the egg.

Any proactive outside intervention inside its own territory will spell further doom in terms of popular support, stepped up terrorist activities and possible political turmoil. Indeed a catch-22 situation.

The attack on the Islamabad Marriott has been described by many in Pakistan as the deadliest in terms of the magnitude of the explosion, and should stoke the sense of urgency on the part of the government to take the matter head-on.

It is also likely to further intensify the debate of the two views

on how to tackle the problem: one view pleading for further stepping-up of the all-out military action against the terrorists and their hide-outs, and the other preferring negotiated settlement.

For either course, Asif Zardari and his party appear better suited, as the PPP and its allies are popularly elected and have the support of the army.

Zardari's extra-territorial friends, who also are stakeholders in the war on terror, will better serve him by not making his task difficult. He will have the opportunity to personally plead it with his American friends when he meets them in New York and Washington later in the month.

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The battle of Bolivia

The barricades have been dismantled and the bullet casings swept away. The angry rebel youths of Santa Cruz de la Sierra and the opposing columns of peasants marching in from the highlands have stood down for now. But the remarkable spasm of protests, street fighting and armed repression that broke out earlier this month has shaken this country -- and the continent -- to the core.

MAC MARGOLIS

WHEN Evo Morales became president of Bolivia in January 2006, many people in Latin America held their breath. Half the nation feared what would come if Morales made good on his promise to re-engineer the impoverished Andean nation into a socialist utopia. The other half feared what would happen if he failed. Two and a half years

on, even the darkest predictions are looking optimistic and not just for Bolivia.

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this country -- and the continent -- to the core. At least 15 people (and maybe twice that) were killed and dozens more injured in street clashes in the lowlands, where provincial leaders fiercely resist attempts by the Morales government to curb local autonomy.

Both sides were emboldened by a recent recall vote, which boosted Morales (with 67% of the popular vote) and also the provincial governors who oppose

him, practically assuring more conflict. The September protests turned bloody (Bolivia's 9/11 it was called) as Morales stumped for a sweeping new national constitution that would concentrate power and tax revenues in La Paz.

So toxic is the political atmosphere that pundits and diplomats openly speculate over when, not if, Bolivia will pitch into civil war, and what the gathering chaos portends for an already conflicted region. "The Bolivian crisis has turned into a hemispheric challenge," says Michael Shifter of the Inter-American Dialogue. "If regional leaders can't work this out, it reflects badly for the inter-American system of peace and cooperation."

Not long ago, Bolivia's distant neighbors might simply have fired off the obligatory bromides of diplomacy about peace and understanding, and then hoped for the best. But with chaos in Bolivia threatening to split the country, shut down the continent's natural-gas supplies and further inflame the continental ambitions of self-styled Latin liberator Hugo Chávez of Venezuela, the continent's diplomatic corps has become suddenly galvanized.

Now is the time to act, said Argentina President Cristina Fernández de Kirchner at an emergency summit of South American nations in Santiago. "In 30 years we may be watching documentaries about Bolivia like those we see today about

Salvador Allende," she warned, alluding to Chile's former socialist president, who died in a bloody 1973 military coup d'état.

How effective the emergency diplomacy will be is an open question. "It's a cliché that when Latin Americans face a grave problem, they form a committee," says Bolivian economist Roberto Laserna. But this time more than just another perishable Bolivian presidential mandate is at stake. One reason is that with some 70 years of natural-gas reserves below their feet, Bolivians have become continental energy brokers. Brazil and Argentina (and to a lesser extent Paraguay and Chile) look to the Bolivian gas fields to power their growing

economies, and any shortfalls would leave the two Latin giants vulnerable to blackouts and factory shutdowns.

Another is Chávez who counts Morales among his closest allies. After Morales ousted the U.S. ambassador to La Paz for allegedly meddling in Bolivian politics, Chávez gave the U.S. envoy to Caracas 72 hours to pack up, touching off a daisy chain of incidents from Washington to Tegucigalpa (Honduras also rejected the incoming US ambassador) that could set diplomacy in the Americas back for years. Washington answered by sending off the Bolivian and Venezuelan ambassadors, and even suspending Peace Corps operations.

To be sure, a cold war is not in

the making. For all his bluster, Chávez has never dared to shut off oil exports to the United States, his best customer, and outside of a few left-leaning compañeros in the Andes and Central America, few pulses race to his call for a Bolivian insurrection. Nor does Morales have much to gain by alienating Washington, its major source of aid.

With Latin neighbors hurrying to ramp up alternative suppliers, Bolivia's lock on continental gas supplies will also fade in the long run. But the real test now is whether South America's newly energized diplomacy can turn rhetoric into rescue -- and help save Bolivian democracy from itself.

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