

## TALKING POLLS AND BEYOND

# 'The government has to tell the nation why it needs emergency'

Born in Kolkata in 1935, **Prof Rehman Sobhan** obtained MA in Economics from Cambridge University in 1956. He started his career as a faculty at Department of Economics at Dhaka University in 1957 and retired in 1977. He served as a Member of Bangladesh Planning Commission 1972-1974 and at BIDS as Chairman, Research Director, Director General and Emeritus Fellow 1974-1993. He was a visiting Fellow at Queen Elizabeth House, Oxford 1976-1979. A former Adviser to the President in 1991, Professor Sobhan was the Founder and Executive Chairman of Centre for Policy Dialogue (CPD) 1994-1999, Executive Director of South Asia Centre for Policy Studies 2001-2005 and is now Chairman of the CPD. He was one of the founders and Editor of weekly Forum 1969-1971 and is now the chair of the editorial board. He was active in the liberation struggle and was appointed as Envoy Extraordinary in 1971 by the Bangladesh government with special responsibility for economic affairs. **Shamim Ashraf** took the interview.

**How do you see the uncertainty over all parties' participation in the December 18 polls?**

Unfortunately in Bangladesh to participate or not usually depends on how you feel you are going to fare in the election. If you are confident that you are going to win or do well, you're keen to participate. The AL seems to think it is going to do well, so it is anxious to see the election is held on schedule. Their principal rivals, for reasons which seem unclear, appear less confident about their prospects otherwise they would also be pressing for early elections.

**The BNP leaders are pressing for seven-point demand, now reduced to four points, as condition for participating in the elections...**

3 of the 4 demands of BNP are common with the AL. BNP are arguing that they don't face a level playing field. But whether their demands are accepted or not by CTG surely affects all parties equally. The crucial difference has therefore come down to the timing of the election. It is not clear how 30 days will help to level the playing field any further. Nor will voters be particularly impressed by the argument that their desire for an early election needs to be frustrated on account of the franchise of 50,000 voters.

**How do you see BNP's demand for scrapping amendments to the RPO?**

The particular provision that BNP would like to be withdrawn seems also to be endorsed by other political parties and may thus be acceptable to the EC.

**Does keeping off from election due to a lower prospect of victory go with the philosophy of democracy?**

The main issue is that today you have a situation in which the CG is wanting to hold elections and to hand over power to an elected government. The notion of a major party pressurising a non-elected government to defer their withdrawal by delaying the holding of the elections is very unusual. Over the last 2 years the main demand of the political parties had been that the CG should quit as early as possible through holding elections and return to us to be ruled by our elected representatives. Such a posture by a political party tends to confuse not just the electorate but their party workers.

**Do you support deferring the election as demanded by some BNP leaders?**

I don't think it would bring any great advantage even to the BNP if the election were postponed. If the BNP face any practical problem, in contesting elections on 18 December, they should consult with other parties as well as the CTG and find what can be done about putting their concerns to rest. If they offer some realistic alternative dates, backed by a categorical public assurance that they will contest elections on this date, which the other parties find acceptable, the CTG may go with the consensus. But it would be a bad precedent to delay elections and a disappointment to the electorate who mostly want an early election.

**Could the government do anything earlier to ensure participation of all the parties?**

The CTG should have negotiated the road map and reforms with the parties much earlier. The delay and consequent pressure of time, in relation to their road map, appears to have compelled the CTG to make quite a few concessions to both the parties, and particularly to one of them. Political negotiations are all about give and take. One party cannot lay down demands on a take it or leave it basis. This is the privilege only of the unchallenged victor and even victors need to be magnanimous. It would have been sensible for the EC to have secured some firm commitment from all parties over their participation in the elections.

**Couldn't the reform and registration process be easier had the government sat with parties at the beginning of 2007?**

Definitely. The CG began the negotiation process very late and didn't take this to any definitive conclusion. There should have been a general agreement on all the issues which needed to be settled before the start of preparations for the elections. Negotiation on many of these issues started only a few months ago. Yet many of these issues have been under discussion for many years and could have been carried forward at the initial stage of the life of the CTG including on such issues as how to deal with corruption. Evaluate the advancement since 1/11 political changeover.

In many areas, the CTG's intentions were good and they were putting issues on the table which were being discussed not just by the so-called civil society but also the political parties. Everyone should remember that the 31-point demand of the 14-Party Alliance covered many of the issues incorporated in the CTG reform agenda. The CTG would, therefore, have expected considerable support for reforms from everyone including most political parties. This shared perspective on reforms could have been used as the basis for initiating a dialogue on reforms with the political parties. After all none of these reforms can be sustained unless they are ratified by the political parties in parliament and they commit themselves to their implementation.

**Can the CG have agreement on reforms at this point?**

The government will find it difficult to involve the political parties in a dialogue on reforms and come to an agreement at this late stage when they remain absorbed in their election campaign.

**Identify major achievements since 1/11.**

The electoral list will be an enduring achievement as will be the move to give autonomy to the EC, ACC and Public Service Commission, as also the Right to Information Ordinance and the separation of the Judiciary and Executive. However, even these positive achievements will have to be sustained by the elected government.

**How much qualitative change will come from 1/11 changeover and following exercises?**

Change may come if the parties basically recognise that there are serious problems with their democratic practices and approach to governance. It will be politi-

cally advantageous to the parties to bring about such changes like democratising the party organisation, bringing in good candidates, committing themselves to eliminate corruption and ensuring financial transparency, though it may be disadvantageous for some individuals in the parties. But whether they would really do so is another question. Part of the problem lies in the culture of opposing something if your political opponent supports it. Much will depend on the quality of the election. If some parties have already taken a position that the election will not be fair, they're already telling us in advance that the government which comes to power will not be acceptable to them. They will then find problems with everything done by the elected government.

**Does that mean we'll be seeing that the politics of boycott and violence will resume?**

Whoever wins the election will need to go out of their way to give the opposition full freedom to express themselves in parliament and to consult them on all major policy decisions. In such circumstances the opposition must also agree to work through parliament rather than to resort to the streets to express themselves. This will merely give the ruling party a free hand to govern without accountability, which has been the bane of our system of governance.

**Do you see any such soul searching by the leaders?**

Some soul searching is going on. But we will have to see how strongly they feel about it. Most people would like to see our leaders conceding that they did something wrong and publicly recognising that the parties should expose themselves to change. Leaders themselves should be the leaders for reforms. But they have to recognise first that there is a need for reforms.

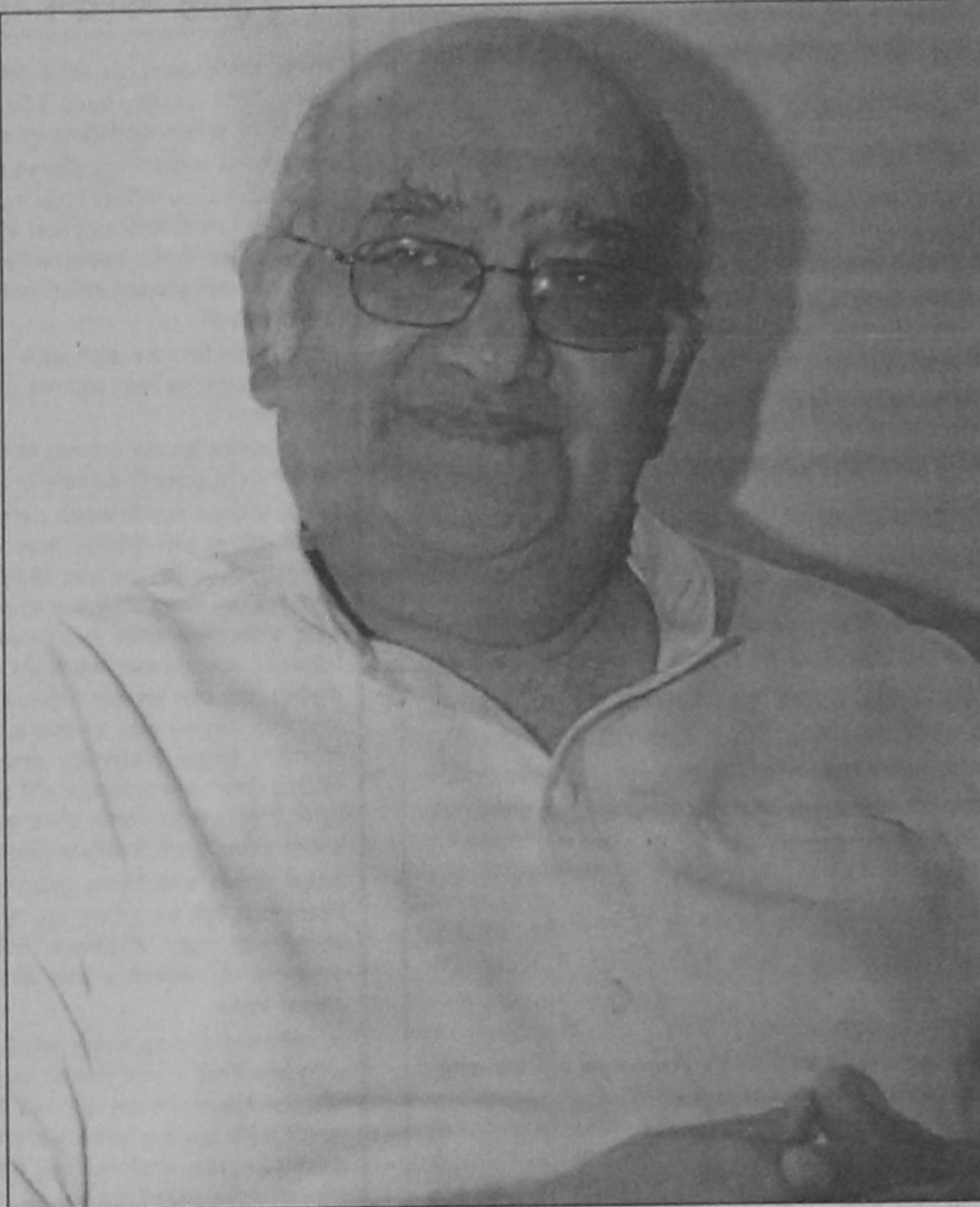
**We've seen a division between reformists and non-reformists**

That was an artificial division. There was an attempt to create such a divide within the parties; the leaders were the people who should have been initially invited to lead the reforms. Confusing the issue of leadership and the issue of reform created part of the problem.

**Who do you think were instrumental in creating the divide?**

Dividing the leaders and some people who were supposed to be reformers, to a great extent discredited the reformers and created difficulties for them. Had the reformers basically been persuaded to sit with their leaders and say we should bring about reforms within the party, then the leaders themselves may have been willing to discuss it with them. But if it is assumed that the leaders are not going to carry out the reforms and new leaders will have to be brought in, then problems arise. If the rank and file of the party continue to support the leaders, the people who will become marginalised within the party, are likely to be the so called reformers. That in practice, appears to be what actually happened.

**Parties earlier complained that the**



Prof Rehman Sobhan

**environment was not proper for reform as emergency was there...**

If we wanted a genuinely democratic reform process, we would have to create conditions where you can hold consultations within the party and listen to the rank and file's demand for reforms. People say that the same faces came up in the mayoral and local body elections. That was, to some extent, inevitable. How could new candidates emerge within the parties without scope for active politics to mobilise alternative leaders at the local level. In its absence the political process is frozen. Whoever was prominent at the local level, before the political process was put on hold, emerged as the most visible candidate who could command support both from party workers and the voters.

**What would be the best way to deal with emergency?**

If we want a functional election campaign, we will have to minimise the restraints on campaigning through lifting the emergency. The government has to tell the nation clearly why it needs emergency. Obviously there is one problem relating to the issue of who can and who can't contest the election. But this will be settled the moment the nominations are filed. From what is reported in the press it appears that the government is now agreeable to lift all those parts of the emergency powers which relate to election campaigning so hopefully this may no longer remain a moot issue.

**The issue of two leaders' meeting has surfaced again. Can't they play a role to breakaway from confrontational politics?**

Public should certainly make this appeal. The two leaders should obviously meet in general, even for social reasons. I don't know of any second country where top leaders of major parties don't meet and dialogue. Other leaders in these parties also need to meet on a regular basis as a general practice of democratic politics. But we should not expect any immediate result from such a meeting in resolving any longstanding problems which haven't been resolved for so many years. Right now the minds of the parties are preoccupied with more immediate issues such as contesting the elections and nominating candidates. Hopefully, after the elections a tradition of dialogue between the leaders can be put in place but this will, no

doubt, depend on how far the opposition leaders are willing to accept the results of the election.

**How can the questionable people be kept off from election?**

People who know best who is clean are the parties themselves. They should exercise their judgement and people will appreciate their good judgement. Looking at the nominations of the Awami League they appear to have decided to keep some controversial candidates from contesting the elections. They have also given opportunities for grassroots workers to register their preferences for their parliamentary candidate. Someone should do some research on the number of constituencies where the AL leadership honoured the preference of their grassroots members. It is to be seen who the 4 Party Alliance nominates and whether similar opportunities for grassroots voters to declare their preference for candidates is recognised. Ideally, most people would like to see that dubious candidates are kept out of the polls. But this can either be done by due process of law or by the parties themselves. In the final analysis the voters can reject such candidates at the polls.

**How do you see procession of bail after a long time when no bail was granted?**

The legal system has become very controversial. Some judicial appointments in the past appear to have been guided by political considerations. The legal fraternity are themselves questioning the qualifications of some of these appointees. This matter needs to be resolved by the CTG but was not and will now be bequeathed to the elected government. The problem of the judiciary have been further aggravated though conflating politics and the legal process. Public have become very concerned as to which judgements are based exclusively on legal issues and which originate from political expediency. This will have a far-reaching effect on the future of the judiciary in the days ahead.

**Evaluate the anti-corruption drive?**

It began well but there were serious problems that needed address. A major issue was the need to examine, at the very outset, the existing laws and judicial process as to their efficacy in dealing effectively with corruption cases. Even in normal times, it is very difficult to get convictions in corruption cases. There are many loopholes through which the cor-

rupt can escape. Besides, there are severe weaknesses in the ACC's system of collecting evidence. Dealing with pervasive corruption, as pertained in Bangladesh, is a long-term process. A government which is likely to be in business for two years cannot be expected to deal with a disease which has infected our body politic for years. They can begin the process, but should recognise that someone else is going to see it to a conclusion. The CTG also needed to consider who would carry the anti-corruption process forward. If we have to depend on the existing status quo of law, cases may remain unresolved for years. So far very few anti-corruption cases have been discussed in the courts on issues of substance. Everything has been argued on issues of legal procedure. People want to know whether the accused actually committed the act, what is the evidence, and want the case to be openly argued. We've rarely seen such arguments in court. The government should have been clear as to whether they were exclusively committed to deal with corruption in its own right or whether anti-corruption cases were to be used as a political instrument against some leaders. Most people were supportive of the government when it began the anti-corruption drive. They should have stuck to it and avoid politicising the process. They should have also recognised their limitations and been more selective in their filing of cases.

**You wrote two pieces earlier on the government's exit policy. How do you see it now?**

From their behaviour it seems the CTG feel that they have been in office long enough and now seek a painless exit. It would have been better if they had worked out how the system would be functioning once elections take place and they could depart with some understanding of what part of their reforms would be carried on and what would be protected by the incoming elected government. We need to know more as to how far the CTG has managed to discuss these issues with the parties, or to secure any firm commitments to sustain the reform process.

**The government asked parties to sign a national charter but parties strongly opposed...**

I didn't see any attempt to formulate and place such a charter before the country or the parties. If we had such a document the public and the parties could decide whether they would discuss and even endorse it. Today the CTG remains completely dependent on the goodwill of whichever parties come to power. It would have been good for the future of democracy if the integrity and independence of such institutions as the ACC and EC could have been guaranteed by all the parties before they went into the elections. Then the electorate would at least have a clearer idea of what to expect from the post-election process.

**What lesson does 1/11 leave for the people?**

There may be political differences but these have to be resolved through a process of negotiation rather than through confrontation. If the underlying premise of the constitution, to ensure a genuine free and fair election under a truly non-partisan government, had not been frustrated, the events of 1/11 could have been avoided. In the final analysis Bangladesh's history suggests that it's best to be ruled by elected governments. But then the political parties have to also honour their mandate from the voters. They need to keep in mind that they are elected to serve a public purpose and not abuse the political process as a license for private gain. At the same time we, the electorate, also have to make sure that those we elect serve us well. If the electorate fail in exercising due vigilance over the democratic process we end up getting the governance we deserve.

## Power shortage

Some people will respond that the Iraqi army cannot survive without logistical support. Well, we will have over a year to fix that. In any case, it is not the Iraqi army's lack of combat power, but rather the Iraqi leadership's lack of political will and judgment that is the real potential stumbling block.

GRENVILLE BYFORD

EVERYONE knows it is foolish to give someone power without responsibility. It is even more foolish, however, to accept responsibility without power -- and that is just what the Bush administration has done with the new Status of Forces agreement with Iraq.

Don't get me wrong, it is good that there is an agreement. Letting the United Nations mandate expire with no clear idea of what would replace it was a recipe for a disaster. I am delighted too that the Iraqis feel they are ready to take over day-to-day security from June 2009.

It is the following two and a half years that worries me. Between mid-2009 and late 2011, a large number of American soldiers will remain in Iraq, essentially confined to barracks, unless the Iraqi government calls for their help.

This is not a problem if you believe that the Iraq of 2008 is essentially West Germany circa 1948: That everything is under control and the Iraqis only need logistical and training support to keep things that way.

Obviously, this is what we would all like to believe. Our track record of predicting events in Iraq even six months out, however, is rotten. Things may very well fall apart once more. What then?

After June 2009, the United States will not take military action without an Iraqi request for help, and Iraq will likely delay asking until long after a minor scratch on the body politic has escalated into a raging infection -- they are a proud people after all.

Furthermore, it is not even clear that we would wish to take the side of the Iraqi government in all cases.

Consider the ways Iraq might fall apart. Suppose al Qaeda in Iraq revives and the Iraqi army needs extra muscle. In this case, at least we would know whose side we are on, and al Qaeda alone would not likely be a huge problem.

In Iraq, al Qaeda has never been that big, and it caused serious difficulty only when it had significant Sunni support. Removing this support through the Anbar awakening is the surge's greatest success. It has been achieved, however, essentially by bribing the Sunni tribal leadership.

What happens when the money dries up -- especially if the promised integration of young Sunni militiamen into the

Iraqi army does not materialise? (It has not yet.) Then the Iraqi army might find itself an essentially *Shia* outfit fighting the *Sunnis*.

Al Qaeda will seek to bring this about, but if Iraqi Prime Minister Nuri al-Maliki and his colleagues misjudge how far they must reach out to keep the Sunnis on board, this clash might well happen without Jihadist intervention. Which side, if any, would the United States want to be on if it does?

Then again, the control of Kirkuk and its oil remains unresolved. The Iraqi army and the Kurdish *peshmerga* came close to a firefight a few months back. What happens without an American referee? If we are not referee, do we want to be on the pitch at all?

Finally, Iraq's Shias may come to blows. Suppose Maliki's Dawa party and the Supreme Islamic Iraqi Council (formerly SCIRI) decide to eliminate Moqtada al-Sadr and his Mahdi Army; they send the Iraqi Army into Sadr City and a civilian bloodbath ensues. Do we just stand back and watch it on Al-

Jazeera and CNN?

For as long as there are large numbers of US troops in Iraq, the world (and many Americans) will see the United States as being responsible for anything bad that happens there. Doing nothing would be deeply unappealing, but siding with the present Iraqi government might well be against US interests, or morally indefensible, or both.

Like it or not, we will have, at least, moral responsibility for the situation for as long as we have combat troops in Iraq. After June 2009, however, we will have little power to affect matters beyond mere persuasion. Maliki and his associates have shown themselves to be stubborn men. Two and a half years is simply too long to be in that situation.

President Barack Obama can rectify matters. All he has to do is tell the Iraqis that he was serious about getting out in 16 months and bring back the pullout date to early 2010.

Chances are they will accept with alacrity. If not, some renegotiation will

be in order. The principle the new administration must not compromise, however, is "we will not accept continued responsibility without power." As for suggestions from the Pentagon that we cannot pull out in less than three years, they are simply absurd. We do not have to recover every screw and nail.

Some people will respond that the Iraqi army cannot survive without logistical support. Well, we will have over a year to fix that. In any case, it is not the Iraqi army's lack of combat power, but rather the Iraqi leadership's lack of political will and judgment that is the real potential stumbling block.

Regardless of how serious this problem proves to be, our troops cannot fix it as long as they hang around in their bases. With luck, it will not lead to disaster, but if we leave before it does, then it will be Iraq's problem, not America's. Which is as it should be.