

Withdrawal of 'politically motivated' cases

Under no circumstances should criminals slip through the grip

As disclosed by the law minister, the government is to review all the cases that it considers were instituted with a political motive, against political opponents, by past governments -- since 1971. And for this purpose, a 10-member high powered committee has been formed at the apex, with subcommittees in all the 64 districts, to review the cases in a bid to withdraw the ones found to be politically tainted. The initiative of the government sounds reasonable if it leads to setting the innocent victims free and reducing the burden of the courts and meeting the ends of justice and not an exercise for partisan purpose.

It is regrettable but true that the practice of harassing political rivals or those that were considered belonging to different camp or ideological leanings by involving him or her in a legal procedure has been a feature of all the governments ever since the birth of the country. We had also been pained to see innocent bystanders including school students hauled up by the thousands on the eve of a proposed strike by the opposition and charged under Sec 54. This has caused unnecessary hardships to many innocent people.

To review cases suspected to be politically motivated we feel is a fair position to take but there are several points that we want to make here. The government must be very careful not to use this exercise as a mechanism to let its party men out of the hook since in the recent past the 4-party alliance had indulged in similar initiatives and, reportedly, nearly 72,000 persons indicted in as many as 7000 cases were acquitted, among whom were many known criminals including rapists. And it must also be ensured that genuine culprits do not slip out along with the genuine victims of injustice.

The plan to restore the rule of law and reestablish justice and fair play can only be successful if the committees remain objective and non-partisan. However, we feel that the composition of the apex committee in particular will raise a question mark in public mind since it has no member from the opposition bench, not even any independent lawyer. A partisan group may repeat the error of the past -- which was to exonerate own people and condemn those of the opposition.

The focus must not be only on the cases instituted during the period of the BNP-Jamaat and the CTG regimes, as some home ministry insiders have suggested might be the approach. That, we are afraid, could only reinforce the apprehension that this might be a partisan-exercise for partisan purpose.

Manna Dey in our midst

His songs have always touched the soul

There is always a certain joy in music, in partaking of it as well as participating in it. And when the maker of such music is Manna Dey, it is a whole world of melody that opens up before those who believe that music and poetry and song are all. Nothing else is. That is a lesson we have learnt once again with the legendary artist's latest visit to Bangladesh. Coming as it does at a time when we in this country recall once more the young men who sacrificed their lives in defence of the Bangla language, Dey's trip is a fitting tribute to that our glorious saga. Manna Dey, it may be recalled, has made music in a number of South Asian languages, notably Bangla, Urdu and Hindi.

Coffee House-er shei adda ta is now part of our musical folklore. And so are *o amar mon Jamuna tumi onek jotno kore amaye dukkho dite cheyechho*. One could go on and on about the repertory that is peculiarly Dey's. Travel back, if you will, to some of the more illustrious numbers he crooned back in the 1960s in Urdu. For a generation that is today in its mid-fifties, *tu pyar ka sagar hai* remains as devotional a song as it is an evocation of love. Speaking of love, though, how can one not remember that Pushto-touched song, pictured on Balraj Sahni --- *ae meri Zohra jabeen tujhe maloom nehi tu abhi tak hai haseen aur main jawan?* For Manna Dey comes of a generation that firmed itself on sheer musicality, in the being of Mohammad Rafi, Talat Mehmood, Mukesh, Hemonto Mukhopadhyaya and so many others. There lies cause for our happiness. And yet there is sadness once you recall that among all that club of the great and the good in the poetry of music, Manna Dey remains the last survivor. He is ninety and may not have very many more seasons in store for himself.

Which is why it is altogether fitting and proper that the people of Bangladesh pay him the tribute he has so richly deserved. He has made us happy through the years. His songs have touched the depths of our souls and the spaces among the stars.

Spare change

What needs to change, more than anything, is the mind-set of our leaders, and as long as they use their perch in parliament to make a quick buck as luxury car salesmen, it is a pretty good indication that they won't be serious about attending to the people's business or protecting the public interest.

ZAFAR SOBHAN

Is change in the air, as pledged by the ruling AL? The early indications are certainly not promising, but perhaps one should heed the prime minister's admonition that it is still too early to tell.

So let us accept, for argument's sake, that it is too early to detect any kind of a meaningful trend or to sit in judgment on the government's performance thus far. Let us give the new government the benefit of the doubt and wait patiently to see whether it will find its feet as it become more comfortable in office.

Nevertheless, now is a good time to draw up a list of possible indicators, tell-tale signals that we should look for in the coming weeks and months, which will shed light on the direction the government intends to go and suggest whether we truly have turned a corner.

It seems to me that one of the very first tests of the government's commitment to change will be the final disposition of the 122 ordinances that were passed by the caretaker government and which must be ratified within the first 30 days of the new parliament if they are to become law.

The initial signs with respect to how the government intends to deal with the issue of the ordinances have been mixed.

Things started out on the wrong foot with an opaque special committee tapped to provide an initial recommendation as to which ordinances should be passed into law and which allowed to lapse.

Authority for recommending which of the ordinances will make the cut has now

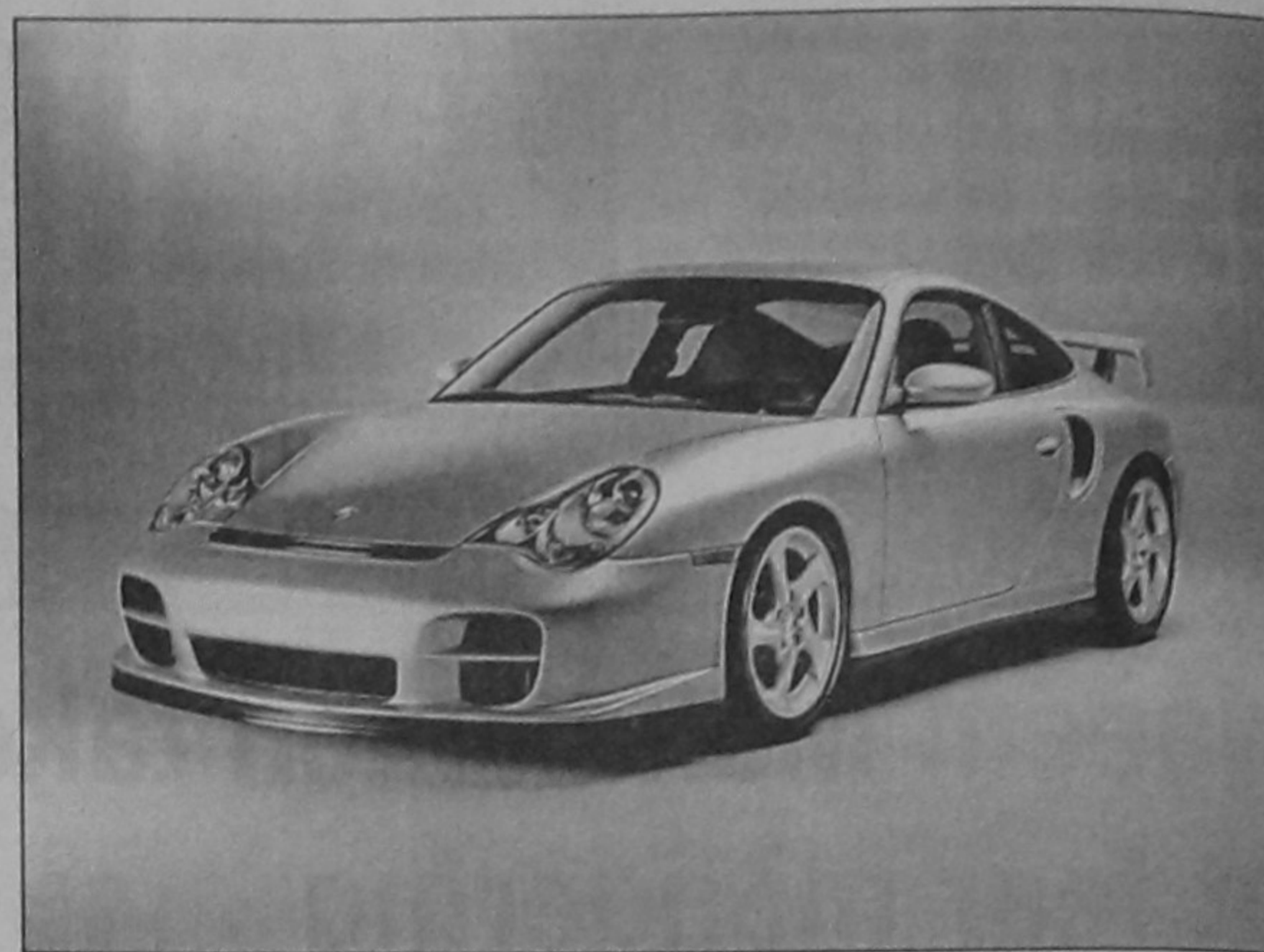
passed into the hands of a parliamentary committee, which at least has the merit of being made up of elected and thus accountable parliamentarians.

However, the process by which this new committee is determining which ordinances to recommend for ratification by the full parliament remains unclear. There has been very little transparency as to the selection criteria, no process of public consultation, debate has been sparing, and the basis on which the ordinances are being evaluated remains something of a mystery to the public.

One of the worrying developments has been in the apparent intention of the new government to not approve the Local Government Commission Ordinance 2008, despite the strong support of local government representatives and independent experts for this ordinance, which is key to effective local government reform.

Similarly, the Right to Information Ordinance 2008 was originally slated for non-ratification until the combined voice of the media and civil society persuaded the government to reconsider. This is a salutary instance of the government's sensitivity to public opinion. However, with the entire ratification process being shrouded in opacity, uneasiness remains, and ultimately it seems as though the decision to ratify or not to ratify will be one that the public has little input into.

The one ordinance the fate of which, to my mind, will tell us everything we need to know about the new government's commitment to meaningful change is the ordi-



What do I have to do to put you in this fine vehicle?

nance scrapping the parliamentarians' privilege of importing a duty-free car.

Everything one needs to know about the moral seriousness and dignity of our elected representatives can be gleaned from the fact that MPs routinely import extremely expensive luxury cars, sell them on a mark-up, and pocket the difference.

In the eighth parliament, 275 luxury cars were imported by parliamentarians, almost all of which were then resold at a considerable profit, enriching the MP and denying the tax authorities of an estimated Tk 280 crore in total.

It is bad enough that the people's representatives of a country such as Bangladesh would deem it necessary to travel in luxury cars costing as much as Tk 3 crore a pop, but the smallness of mind and pettiness of purpose of an elected representative lining his or her pocket by abusing this privilege is absolutely mind-boggling.

What sort of a money-grubbing bottom-

feeder would stoop to making a quick buck by prostituting his or her dignity in such a humiliating manner? Apparently, a significant proportion of the eighth parliament. It is a small thing, but very telling.

As long as this tawdry exercise in self-enrichment continues, nothing will change in government, and we should not expect anything great from the new parliament.

What needs to change, more than anything, is the mind-set of our leaders, and as long as they use their perch in parliament to make a quick buck as luxury car salesmen, it is a pretty good indication that they won't be serious about attending to the people's business or protecting the public interest.

So let's see if the ordinance banning this parliamentary privilege is passed into law or not. If it isn't, we'll all know what to expect over the next five years.

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Presidency needs to be more than symbolic

We need to save our presidency from being a rubber stamp. The president should be more than a mere tool in the hands of the ruling party, a toy wound up with loyalty to make its wish his command. It's a national institution, which enshrines the responsibility of defending the constitution.

MOHAMMAD BADRUL AHSAN

CONGRATULATIONS to the 19th president of Bangladesh, and I wish him long life and good health, needless to say, a full and successful term in office. May I say let bygones be bygones. We need a twist in the presidency.

I am not unhappy with the choice of this president. He has got what he deserved, rewarded for being a longtime party loyalist, one of its respectable old guards. But, all said, it's time to strengthen the office of the president. It should be given more power and vigour, instead of being a grazing ground for figureheads. We should make Bangabhaban more than a 54-acre preserve which confines a lonely soul, whose role is as ceremonial as the 21 gun salutes or cannon shots fired on Independence Day.

The role of the president ought to be more. No need to change the constitution if the parliamentary form of government does the job. So I say, keep the presidency a sym-

bolic role. The president will appoint ambassadors and high commissioners, and receive their credentials from foreign countries. He will grace university convocations as chancellor. He will grant pardons, reprieves, respite or remission of punishment. And then wait for his chance to promulgate emergency so that he can spring to life like reserve forces called to active duty.

But next time we should improve on how we symbolise the symbol. We need to look for a president who will be the conscience of the country and a unifying force at the same time. What we saw in the past is that the role of a president, however nominal in normal times, can make a difference in the times of trouble. Hence, my humble submission. We need a strong president in ordinary times for him to rise to extraordinary occasions.

To some extent, a role is like a limb. It atrophies if kept unused. I don't mean to say that the president needs to become more powerful than the prime minister. But a president should know and believe in his

heart that he is the ultimate custodian of the constitution, that he is the president of the whole country, irrespective of its factional contentions. The people and the country should be his utmost consideration, not the beck and call of those who land him the job.

A president needs to be groomed, if this is what one must call it. He needs to be groomed for office and groomed for power so that he understands the obligation of being the head of state. Mahatma Gandhi claims that the obligation of accepting a position of power is to be, above all else, a good human being. A president needs to be a good human being, virtuous and competent. Before that, cut the cloth according to the coat. The job needs to expand in order to fit in a larger man, who will represent not a symbol of power but the power of a symbol.

Different folks need different strokes. We need a president who will be above politics and beyond partisan reproach, a strict adherent of the constitution. Yes, we want a competent man, but competence without virtue is a deadly thing. It simply makes one more effective at wrongdoing. We also need a president who should take pride in his job, and won't use his office as a springboard for sordid gains. More privilege means more responsibility. A president guilty of wrongdoing will be readily impeached.

We want a presidency which combines showmanship with statesmanship. British comic writer Douglas Adams once quipped

that anyone who was capable of getting himself made president should on no account be allowed to do the job. The presidency in a parliamentary system is an absurd wedge between obscurity and fame. It's the highest office with the lowest visibility, except for national ceremonies and state functions. Right now, it's a high maintenance, low performance job.

We need to save our presidency from being a rubber stamp. The president should be more than a mere tool in the hands of the ruling party, a toy wound up with loyalty to make its wish his command. It's a national institution, which enshrines the responsibility of defending the constitution. It's also reposed with the trust to perform the most delicate functions of democracy by checking the balance and balancing the check. Within his restricted role, a president must be a stalwart for the nation.

I repeat my submission. We should look for a different type of person. The presidency isn't a favour that should go to the most favourite person. It's not an opportunity for the hardest seeker, not a compromise for the least controversial. The job and the person should fit each other. The next president should elevate the job no less than it should elevate him.

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Turkey's Islamists show their hand

Such behaviour has fanned the flames of anti-Semitism in traditionally tolerant Turkey. Erdogan has blamed "the Jewish-influenced media for misrepresenting facts about Gaza," and the AKP-run government of Istanbul has erected giant billboards across the city reading: "You cannot be the children of Moses."

SONER CAGAPLAY

WHEN Turkey's justice and development party (AKP) first took power in 2002, it tried to reassure moderates fearful it might chip away at the country's secular, democratic and pro-Western values. The AKP renounced its Islamist heritage and began working instead to secure European Union membership and to turn Turkey into an even more liberal and pro-Western place. Almost seven years later, however, the AKP seems anything but reformist. The recent performance of Recep Tayyip Erdogan, the party's leader and Turkey's prime minister, at Davos -- where he stormed off a panel with Israeli President Shimon Peres, vowing never to return -- has convinced many skeptics that the party is turning its back on the West. So have moves like saying he wants to represent Hamas on international platforms and defending Iran's nuclear weapons. The AKP now sides with Islamists and ignores their crimes. This is radically

different from the Turkey of old. What happened?

To understand the AKP's turnaround, remember where it came from. The party's founders, including Erdogan, cut their teeth in an earlier, more explicitly Islamist party, which featured strong anti-Western, anti-Semitic and antisecular elements. The Welfare Party, as it was known, joined a coalition government in 1996 before alienating the secular Turkish military, the courts, and the West, leading it to be banned in 1998. Yet the party never truly disappeared, and Erdogan re-created it as the pro-American, pro-EU, capitalist and reformist AKP.

Its transformation was a cynical one, however, and no sooner had the party gained power than it began to undermine the liberal values it supposedly stood for. In 2002, for instance, it began to hire top bureaucrats from an exclusive pool of religious conservatives, and the percentage of women in executive positions in government dropped.

Efforts by secular institutions to curb the

AKP backfired. When the Constitutional Court tried to prevent it from appointing one of its own as president in 2007, the AKP cast itself as the underdog representative of Turkey's poor Muslim masses and won a monumental election victory. This hastened the party's return to its core values. The AKP began abandoning its displays of pluralism, dismissing dissent and ignoring checks and balances and condemned the media for daring to criticise it.

The failure of EU accession talks also hurt. Having made a number of painful reforms in order to improve its chances of entry, in 2005 Turkey nonetheless hit stiff opposition led by France -- at which point the AKP decided there was no point in making more painful and unpopular reforms. The nail in the coffin came that same year, when the European Court of Human Rights upheld Turkey's old ban on Islamic headscarves on college campuses. The AKP had hoped Europe might help recalibrate Turkish secularism into a more tolerant form. But this wasn't in the cards.

Soon the AKP began abandoning its pro-Western foreign policies as well. Despite Ankara's historic friendship with Washington, the United States is highly unpopular among the Turkish masses. Following the U.S. invasion of Iraq, the AKP realised it could use this anti-Americanism to bolster its own support. And when the Gaza operation began in December, it decided to add anti-Israeli language to the

mix, which culminated at Davos, where Erdogan lectured Peres for his supposed crimes before flying home to an orchestrated hero's welcome.

Such behaviour has fanned the flames of anti-Semitism in traditionally tolerant Turkey. Erdogan has blamed "the Jewish-influenced media for misrepresenting facts about Gaza," and the AKP-run government of Istanbul has erected giant billboards across the city reading: "You cannot be the children of Moses."

Seven years after the AKP came to power, Turkey's Islamists have returned to their roots. The AKP experience demonstrates that when Islamist parties moderate, it reflects not a strategic change but a tactical response to strong domestic and foreign opposition. Once these firewalls weaken, Islamist parties regress, driven by popular sentiment. A recent survey shows that the AKP's popularity jumped 10 percent after the Davos incident, suggesting the party could pass the game-changing 50 percent threshold in the upcoming March 29 local elections. The AKP's renewed Islamism may play well at the polls. But Turkey, and its allies, will be left worse off for it.

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