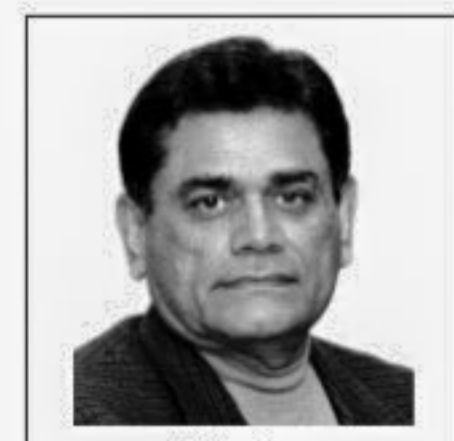


## STRATEGICALLY SPEAKING

# Touché Awami League



Brig Gen  
SHAHEDUL ANAM KHAN  
ndc, psc (Retd)

**T**HE PM has turned down the recommendations of the special parliamentary committee on constitutional reforms to continue with the caretaker system for two more terms. She had taken umbrage at some newspaper reports which, to her, conveyed the impression that it was she who was responsible for doing away with the caretaker system. Of course it was the Supreme Court which has declared 13th Amendment illegal and she was only reiterating the legal bindings that the verdict has placed on her government.

But that being said, it is also matter of public perception that while it is the verdict that has put the final nail in the caretaker's coffin, it is the AL that has played the part of the undertaker in this instance, having put the caretaker system in the coffin in the first place. From what has eventuated thus far, one must unreservedly admit that the Awami League's handling of the Constitutional issues, particularly of the caretaker system, speaks volume of the party's political astuteness that is capable of looking far ahead. The prime minister's dismissal of any thoughts of continuing with the system, citing legal obligation, was a piece of political masterstroke delivered with the panache of a hardened politician. And that is just as we had predicted it would be, in the final outcome of things. The prime minister has merely followed a

very well defined path which, one must admit, emerged from well thought-out and well-scripted plans.

Since the verdict of the highest judiciary is incontrovertible, the party cannot be faulted for its stance on the caretaker system, a stance which fulfills all legal requirements. But while the legal aspect can never be overlooked, there is a moral facet of our behaviour that should be exhibited in one's conduct, particularly when it has to do with the country's political stability.

And if the BNP finds itself left in the lurch it is only because the party lead-

may not only result in a political stalemate but may also bring about a serious national crisis.

And we are again constrained to repeat our anguish, as has been done by many quarters, including a major component of the Alliance government, at the possibilities that are ominous to say the least. We are sorry for sounding alarmist, but exhilaration is not quite the feeling that the political situation in Bangladesh infuses in a person. And most often pessimistic formulations are unavoidable. One is even more perturbed

***Notwithstanding the SC verdict there are indeed compelling reasons to revisit the issue of caretaker system. Politics cannot be about assuming power only and holding on to it by any means. It is also about ensuring peace and stability. And both seem to be under threat.***

ership failed to anticipate AL's moves. Politics is all about foreseeing what ones opponents are up to for the present and the future, which can be done with a little bit of political insight. And this is the difference between a party that is made up of fulltime politicians and one that consists of people some of who merely dabble in politics.

We are not at all surprised at the turn of events, as we had predicted in these very columns a fortnight ago exactly what has come to pass. Judicial fiat can come in handy; they help to explain away many things. But it may not help to avert a political crisis that

when one considers that with the 13th Amendment being declared illegal, the political existence between the 1996 June election and now is illegal.

It is difficult to accept that things have changed since 1996. The PM's comment to the media that 1996 was a different set of circumstances doesn't sell. On the contrary, if anything, the hiatus between the parties has widened and the animosity has become more intense. To say that there is deficit of trust between the AL and BNP will be an understatement. And under these circumstances it is difficult to think that elections under a

ruling party in government is at all possible. The objective conditions have not changed at all. The motivations behind the BNP current positions on, and demand for, continuing with the caretaker system, are as strong as the AL's in 1996, SC verdict or not.

There is no point taking shelter behind the SC verdict. One finds it ridiculous that the AL is now shooting down the caretaker system and talking about how unconstitutional, undemocratic and illegal the system is when it had participated in four elections under this special arrangement, and had come to power twice through these elections. If that be so, the party must make a public statement to the effect that its movement for a caretaker system in 1996, its boycott of the parliament and the general strikes it had called during that time, because it did not want elections under the BNP, was all for an unconstitutional, undemocratic and illegal system. And one fails to understand why all the effort and time was wasted on several rounds of discussion on the caretaker system between the parliamentary committee and different sections of the society, when the course of action was predetermined?

Notwithstanding the SC verdict there are indeed compelling reasons to revisit the issue of caretaker system. Politics cannot be about assuming power only and holding on to it by any means. It is also about ensuring peace and stability. And both seem to be under threat.

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

## Insensitivity over Limon issue

### A question of credibility

**T**HE way the Limon issue is being handled by the government is becoming a serious matter of public concern. Especially, the contradictory statements made by government high-ups from time to time have created confusion among the public.

Considering the vengeance with which a villain is being made of a mere 16-year-old boy from a working class background has left many wondering about the government's taking such a position.

RAB in its official statement one month after the tragic shooting not only branded Limon as a criminal, it has also ended up calling the hapless boy's father and brothers criminals!

The Defence Adviser, meanwhile, has defended the RAB action in so many words. Home Minister Sahara Khatun, Foreign Minister Dipu Moni and Public Administration Adviser have all joined the chorus of defending the RAB action.

The Director General (DG) of RAB, who on April 11 had said that Limon was 'not a criminal,' has rephrased his words terming him 'not a notorious criminal,' seemingly under pressure.

It appears, the government is reacting not just defensively, but somewhat desperately. Which is why home minister has not only been supportive of the Defence Adviser, but has also declared that anybody may make comment on a case under trial, ignoring the fact that it may prejudice the investigation and trial of a case. The media, members of civil society and the rights bodies have long been expressing their concern over extrajudicial excesses. Recently, the National Human Rights Commission (NHRC) has urged the government to inform it of any instance of custodial death or killing within 24 hours. The government needs to be heedful of such calls to enhance its credibility.

With the severely maimed college student Limon suffering in jail and his family members being intimidated, they are maintaining a precarious existence.

We still hope good sense will prevail and the government will be respectful of public opinion with due promptitude.

## Chemical warehouse woes

### Enforce relocation orders

**I**T is undeniably a matter of concern that some people are unwilling to move their warehouses of combustible chemicals away from residential areas in the capital. Although there has been series of deadly incidents over the past years at different parts of the city, the bizarre conduct of the warehouse owners continues unabated.

We recall last year's tragic blaze at Nimtoli in old Dhaka where over one hundred people were scorched to death and many more received injuries due mainly to the highly inflammable chemicals. Following this, there were smaller incidents in other parts of Dhaka. Even after all these continual incidents people involved in the trade show no interest to shift their warehouses outside the city.

The chemical warehouse owners were asked by the government to relocate their businesses away from residential areas of Dhaka by September 30 last year. But trading in banned chemicals and storing those have been going on in the residential areas, including old Dhaka.

A group of environmentalists, while observing the first anniversary of the Nimtoli incident last Tuesday, criticised the government inaction over enforcing disciplinary measures against the people who failed to relocate their chemical establishments.

While the dangerous position of these warehouses are life threatening, when accidents occur they leave harmful effect on public psyche for a long period.

The government should immediately act to ensure that the relocation orders are carried out without fear or favour. A new timeframe may be served to the business houses after the expiry of which the law breakers should be unfailingly brought to book. A policy may be formulated relating import, production, storing and trading in chemicals and it should be strictly implemented.

We cannot afford to have devious individuals flouting

## | The New York Times EXCLUSIVE

# Weak foundations of Arab democracy

TIMUR KURAN

**T**HE protesters who have toppled or endangered Arab dictators are demanding more freedoms, fair elections and a crackdown on corruption. But they have not promoted a distinct ideology, let alone a coherent one. This is because private organisations have played only a peripheral role and the demonstrations have lacked leaders of stature.

Both limitations are due to the longstanding dearth, across the Arab world, of autonomous nongovernmental associations serving as intermediaries between the individual and the state. This chronic weakness of civil society suggests that viable Arab democracies -- or leaders who could govern them -- will not emerge anytime soon. The more likely immediate outcome of the current turmoil is a new set of dictators or single-party regimes.

Democracy requires checks and balances, and it is largely through civil society that citizens protect their rights as individuals, force policymakers to accommodate their interests, and limit abuses of state authority. Civil society also promotes a culture of bargaining and gives future leaders the skills to articulate ideas, form coalitions and govern.

The preconditions for democracy are lacking in the Arab world partly because Hosni Mubarak and other Arab dictators spent the past half-century emasculating the news media, suppressing intellectual inquiry, restricting artistic expression, banning political parties, and co-opting regional, ethnic and religious organisations to silence dissenting voices.

But the handicaps of Arab civil society also have historical causes that transcend the policies of modern rulers. Until the establishment of colonial regimes in the late 19th century, Arab societies were ruled under Shariah law, which essentially precludes autonomous and self-governing private organisations. Thus, while Western Europe was making its tortuous transition from arbitrary rule by monarchs to democratic rule of law, the Middle East retained authoritarian political structures. Such a political environment prevented democratic institutions from taking root and ultimately

facilitated the rise of modern Arab dictatorships.

Strikingly, Shariah lacks the concept of the corporation, a perpetual and self-governing organisation that can be used either for profit-making purposes or to provide social services. Islam's alternative to the nonprofit corporation was the "waqf," a trust established in accordance with Shariah to deliver specified services forever, through trustees bound by essentially fixed instructions. Until modern times, schools, charities and places of worship, all organised as corporations in Western Europe, were set up as waqfs in the Middle East.

A corporation can adjust to changing conditions and participate in politics. A waqf can do neither. Thus, in pre-modern Europe, politically vocal churches, universities, professional associations and municipalities provided counterweights to monarchs. In the Middle East, apolitical waqfs did

***Independent and well-financed private organisations are essential to the success of democratic transitions. Indeed, without strong private players willing and able to resist undemocratic forces, nascent Arab democracies could easily slip back into authoritarianism.***

not foster social movements or ideologies.

Starting in the mid-19th century, the Middle East imported the concept of the corporation from Europe. In stages, self-governing Arab municipalities, professional associations, cultural groups and charities assumed the social functions of waqfs. Still, Arab civil society remains shallow by world standards.

A telling indication is that in their interactions with private or public organisations, citizens of Arab states are more likely than those in advanced democracies to rely on personal relationships with employees or representatives. This pattern is reflected in corruption statistics of Transparency International, which show that in Arab countries relationships with government agencies are much more likely to be viewed as personal business deals.

A historically rooted preference for personal interactions limits the signifi-

cance of organisations, which helps to explain why nongovernmental organisations have played only muted roles in the Arab uprisings.

A less powerful business sector also hindered democracy. The Middle East reached the industrial era with an atomistic private sector unequipped to compete with giant enterprises that had come to dominate the global economy. Until then, Arab businesses consisted exclusively of small, short-lived enterprises established under Islamic partnership law. This was a byproduct of Islam's egalitarian inheritance system, which aimed to spread wealth. Successful enterprises were typically dissolved when a partner died, and to avoid the consequent losses Arab businessmen kept their enterprises both small and transitory.

Arab businesses had less political clout than their counterparts in Western Europe, where huge, established companies contributed to civil

society directly as a political force against arbitrary government. They also did so indirectly by supporting social causes. For example, during industrialisation, major European businesses financed political campaigns, including the mass education and antislavery movements.

Since the late 19th century, commercial codes transplanted from abroad have enabled Arabs to form large, durable enterprises like major banks, telecommunications giants and retail chains. Still, Arab companies tend to be smaller relative to global norms, which limit their power vis-à-vis the state. Although large Western corporations have been known to suppress political competition and restrict individual rights, in Arab countries it is the paucity of large private companies that poses the greater obstacle to democracy.

Despite these handicaps, there is some cause for optimism when it

comes to democratisation in the Middle East. The Arab world does not have to start from scratch. A panoply of private organisations are present, though mainly in embryonic form. And if the current turmoil produces regimes more tolerant of grassroots politics and diversity of opinion, more associations able to defend individual freedoms will surely arise.

Moreover, the cornerstones of a modern economy are in place and widely accepted. Economic features at odds with Shariah, like banks and corporations, were adopted sufficiently long ago to become part of local culture. Their usefulness makes them appealing even to Islamists who find fault with other features of modernity.

Over the last 150 years, the Arab world has achieved structural economic transformations that took Europe a millennium. Its economic progress, whatever the shortcomings, has been remarkable. If political progress has lagged, this is partly because forming strong nongovernmental organisations takes time. Within a generation or two, as the economic transformations of the past century and a half continue to change the way citizens interact with organisations, insurmountable pressure for democracy may yet arise even in those corners of the Arab world where civil society is weakest.

A stronger civil society alone will not bring about democracy. After all, private organisations can promote illiberal and despotic agendas, as Islamist organisations that denounce political pluralism and personal freedoms demonstrate. But without a strong civil society, dictators will never yield power, except in the face of foreign intervention.

Independent and well-financed private organisations are thus essential to the success of democratic transitions. They are also critical to maintaining democracies, once they have emerged. Indeed, without strong private players willing and able to resist undemocratic forces, nascent Arab democracies could easily slip back into authoritarianism.

The writer is a Professor of Economics and Political Science at Duke University. ©The New York Times. Distributed by The New York Times Syndicate.

## THIS DAY IN HISTORY

June 2

**1098**  
First Crusade: The first Siege of Antioch ends as Crusader forces take the city. The second siege would later start on June 7.

**1896**  
Guglielmo Marconi applies for a patent for his newest invention: the radio.

**1953**  
The coronation of Queen Elizabeth II, who is crowned Queen of the United Kingdom, Canada, Australia, New Zealand and Her Other Realms and Territories & Head of the Commonwealth, the first major international event to be televised.

**1955**  
The USSR and Yugoslavia sign the Belgrade declaration and thus normalize relations between both countries, discontinued since 1948.

**1984**  
Operation Blue Star, a military offensive, is launched by the Indian government at Harmandir Sahib, also known as Golden Temple, the holiest shrine for the Sikhs, in Amritsar. The operation continues until June 6 with casualties, most of them civilians, in excess of 5,000.