

## Opinion

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# Airing needs, exercising freedoms

## There are no easy answers for the Middle East, says Chibli Mallat

**T**here is no solace in miracle solutions for an explosive and anxious Middle East. Even the word "peace" - which means, in its use by Israel's prime minister, renegeing on all his country's commitments over the past five years - can ring as hollow a term as liberation, security or terrorism.

Since one-word panaceas will not do, it may be safe to deploy those trustworthy indices which have served their purpose well throughout the twentieth century.

For the 21st century Middle East, deployment of seasoned criteria and objectives can follow the three different political, economic, and cultural rhythms which societies and their analysts have well refined.

For the political rhythm: "good" governance of state and society, including the way governments deal with regional and international crises; from the economic angle: expanding and balancing the economic patterns of production and distribution; and for the cultural, dimension: manufacturing consent and containing violent dissent by the renewal of the legal tradition.

Thus, there are three objects, three speeds for change and three different angles for reasoned change in a region where reform is badly needed. The first has to do with government with capital a G. Throughout the Middle East the principal object of reform is the state.

The first focus for reform concerns representation for the people and alternation at the top. Representation means elections, and alternation supposes non-violent change of government.

Very few of the 20 or so Arab countries know peaceful change at the top. Leaders and kings die, are exiled or overthrown, but very rarely do they alternate.

After the Algerian disaster of the foiled 1992 elections, one must not be starry-eyed about democratic schemes, but it remains true that some states have experienced, with mitigated success, middle-level representation.

The request for free and fair elections must be encouraged inside and outside at all possible levels, with the hope that it will one day reach the top.

Iraqi Kurds queued from 4 a.m. on the morning of 19 May 1992 in 'safe haven' elections, and there were many more candidates than seats for the latest Kuwaiti, Lebanese, or Egyptian elections for Parliament - whatever the flaws in the process of public representation.

More attention must be especially devoted to the need for recurrent elections. Governance will have turned a decisive page only where free and fair elections are held the second, consecutive time. Watch for the Palestinian elections four years hence.

Once in power, governing is not enough. The region needs "good governance" - a term coined by one of the best hands-on connoisseurs of the Arab world, the UK Ambassador to India, David Gore-Boothe.

This opens up the complex and detailed world of the rule of law. An Islamist who doesn't get a fair trial, is tortured in an Egyptian or Libyan jail, or who is summarily executed by a death squad, knows this need no less than the liberal subjected to similar treatment by a self-styled Islamist government.

Under the rule of law come many other needs, chief among which is an independent judiciary and an accountable administration. Judges and the legal profession in the Middle East struggle against terrible odds of executive meddling, poor salaries and huge case

loads. It is imperative that the judiciary gets the support it deserves: primarily because it is already there and hankers, as does the public at large, to fulfil its judicial function unrestrained.

The paradox for the judiciary is that, in contrast to such pressure groups as human right caucuses, judges are fully part of the state, and executive power recognises the need for the legitimacy conferred by the judiciary as much as it fears it.

This ambiguity is certainly not true for human rights groups, which need to expend many more efforts to increase the strength of the rule of law.

This brings up the last key element: a healthy and expanding civil society. For human right activists, like the civil society of which they are part, belong to the other side of governance, and make governance "good" proportionately to their own richness and variety.

A good cultural scene, like the one developing again in Lebanon, helps the citizens air their needs and exercise their freedoms. Conversely, the pressure on the once flourishing Egyptian film industry narrows down the public space for discussion and debate.

Examples easily multiply. The press holds a particular importance - as does the business community, for whom a healthy market cannot operate, without the rule of law to guarantee investment against predators tied to the ruling security and political apparatus.

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Tomorrow: Professor Mallat looks at economics and culture