

## Thai parliament to lift ban on rally

### Martial law could be lifted in 10 days

AFP, Bangkok

Thailand's junta-appointed parliament yesterday backed a government proposal to lift a ban on political gatherings of more than five people, imposed after the September 19 coup.

Deputy interior minister Banyat Jansena told reporters that the 242-member National Legislative Assembly had debated the measure and unanimously agreed with the post-coup government's plan to lift the ban.

"The ban has obstructed people's ability to participate in political activities," he said. "Now the government is giving them the chance to gather for political reasons."

The proposal will now go to King Bhumibol Adulyadej for approval. Once he has signed the decree, it will take effect within a week.

Following the overthrow of premier Thaksin Shinawatra, the military imposed martial law, scrapped planned elections, banned political gatherings and threatened action against the media, prompting fierce worldwide criticism.

However a number of groups -- including trade unions, student activists and shopowners -- have defied the ban and held demonstrations with minimal police presence

and no retaliation from Thailand's military-backed rulers.

The defence minister on Thursday said the junta was likely to lift martial law next week before the military-installed premier's visit to Vietnam on November 18 for the annual Asia-Pacific Economic Cooperation summit.

The National Legislative Assembly was appointed by the military, and has little power to check the hand-picked government.

Boonrawd Somtas told reporters that the country's junta leader would make a final decision on lifting martial law, imposed after the September 19 coup that ousted premier Thaksin Shinawatra, within days.

"It is likely to be lifted because the prime minister will leave for Apec in Vietnam during the 18th and 19th of November and the lifting will be in order to make our allies more comfortable," he said.

Following the recent putsch, the military imposed martial law, scrapped planned elections, banned public rallies and threatened action against the media, prompting fierce criticism from the international community.

## lajuddin's view

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vote in a festive mood. She demanded immediate exclusion of 1.4 crore fake voters and inclusion of genuine voters in the voter list.

Hasina, who is also a former prime minister, said they gave lajuddin time to prove his neutrality and implement their demands for holding free and fair elections but he is not taking any effective step to this end.

Besides, the council of advisers could not take any effective steps as the president himself holds the charge of all vital ministries related to elections, administration and police, she observed.

The AL chief urged all to make the road, rail and waterway block-

## Boucher

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President Sheikh Hasina, Foreign Secretary Hemayetuddin and members of the civil society on Saturday and on Sunday the President and Chief Advisor to the caretaker government lajuddin Ahmed.

He will hold a press conference prior to depart Dhaka on Sunday.

Embassy officials said Boucher's mission will be to reiterate US support for free, fair, peaceful, and credible parliamentary elections, to enhance and encourage cooperation against terrorism and to encourage economic growth.

An official of the embassy said the US government is looking forward to seeing a free, fair, peaceful and credible election that all people of Bangladesh would be proud of.

He said the United States has been involved in Bangladesh in many different ways -- with training of journalists, political party workers and election observers to ensure everyone's role in the upcoming elections.

The US government will continue to encourage maintaining the constitutional process, encourage political parties and people to resolve their problems and to find the best possible arrangements for the future elections, the official added.

## People left

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traffic situation in the city. Many guardians in these areas were seen walking their school going children to and from their schools.

"It took me around two hours to walk less than a kilometre from Scholastica School at Dhanmondi to Sobhanbagh," said a guardian.

Many schools, markers and businesses also remained closed in these areas during the siege programme.

Police put up barbed wire barricades in the morning at Rapa Plaza, Asad Gate and Shishu Mela on Mirpur Road, at the Mirpur 10 roundabout, Agargaon intersection and Khamarbari on Rokeya Sarani blocking all vehicular movements. The effect of the traffic gridlock caused by the barricades reached Kazi Nazrul Islam Avenue and brought traffic on this very important road to a standstill.

Being intercepted at these points, thousands of demonstrators headed for the EC held rallies and formed human chains on the roads aggravating the traffic jam.

Hundreds of people were stranded at bus stoppages on Mirpur Road and Rokeya Sarani as motorised vehicles did not run on these roads during the siege programme.

However, many rickshaw and rickshaw-van pullers did brisk business as they charged almost double the normal fare, commuters alleged.

## BDR-BSF talks

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Asked what was the Indian explanation, the BDR official said "They had just called us over phone yesterday (Wednesday) to convey their regret to attend it at this point of time. We're yet to get any written letter with details." The message was received after all the preparations for the meeting were completed, he added.

However, quoting sources our New Delhi correspondent reports that the meeting was postponed as Indian government felt that the situation in Bangladesh was 'not conducive to talks' in view of a mass action programme planned by the Awami League (AL)-led 14-party alliance from Sunday.

BDR DG Maj Gen Shakil Ahmed and BSF DG AK Mitra were scheduled to lead their sides to the talks scheduled to take place at BDR Headquarters at Pikhana in the capital. The Indian side was supposed to fly in today and leave Dhaka on November 15.

After an unusual gap of more than a year, the meeting was aimed at breaking fresh grounds against the backdrop of regular skirmishes between the forces along the porous Indo-Bangla border.

The two sides were likely to discuss re-survey and handover of 760 acres of land in Rajshahi region which India had claimed, installing pillars at different border points alongside the longstanding issues including firing between the two forces, trans-border crimes and Dahagram-Angorpota enclaves, sources said.

## Moudud

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Forces" organised by Swadhinata Forum at the Jatiya Press Club on the occasion of National Revolution and Solidarity Day.

Failing to hold the election by that time will hamper the democratic procedure and create a constitutional vacuum, he added.

Speaking at the programme, former communications minister Nazmul Huda said participation of 50-60 per cent voters in the election will suffice. "It is immaterial whether Awami League or BNP participates in the election or not," he added.

Criticising Awami League's recent political programmes, he said, "No patriotic political party can announce such programmes."

MA Matin, chairman of a faction of Jatiya Party, Abdus Salam, City BNP secretary general, and Md Kamaruzzaman, Jamaat-e-Islami assistant secretary general, also spoke at the programme chaired by Swadhinata Forum President Abu Naser Muhammad Rahmatullah.

## Jatiya Oikya Front

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regarding its neutrality. We demanded corrupt ministers and leaders of the former alliance government be arrested," he said.

"They are protecting the thieves rather than arresting them," Oli added pointing out the police protection former law minister Moudud Ahmed has been enjoying.

"According to the law, Moudud and all people should get the same protection," he observed.

Oli alleged that police were rather inactive when the houses of 16 LDP members were attacked.

Sources said leaders of Jatiya Oikya Front submitted a list containing 1385 government officials and demanded actions be taken against them. They demanded cancellation of contractual appointments of at least 22 people. They also demanded all officials in the Election Commission office and district election officers be transferred.

"Earlier, we requested the chief adviser to remove partisan cadres from key posts but he either did not take any action or his actions did not work," Oli said.

He said if the caretaker chief does not take any action before November 12, people would take to the street and would not go back until their demands were met.

Oli said they do not believe in terrorism, as it is not permitted in Islam, but if the BNP and Jamaat keep on attacking them, they would simply not sit back.

General Secretary of LDP Major (ret'd) Abdul Mannan, LDP leader Major General Anwarul Kabir Talukder, leaders of Oikya Manch -- Abdur Rauf, former whip Abdur Rauf -- leaders of Bangladesh Tarikat Federation -- Nazbul Bashar Majibhandari and Maulana Zakir Hossain -- accompanied Oli in the delegation.

## President's staff

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scope for confusion," he said while addressing the secretaries at Bangladesh Secretariat.

Responding to criticism against some of his officials, the president said: "I've appointed officials in the president's office according to my choice and they are discharging their functions with sincerity."

He said: "Remarks by certain quarters about my personal officials are unwarranted and tantamount to interference in the affairs of the state."

## A stunning comment

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In all humility and with the highest of respect to our President, we regretfully confess that we cannot understand how the President/Chief Adviser could make such a claim. Under what provision of the constitution, under what provision of the law, under what precedence does he nullify one of the greatest achievements of the people of having re-established parliamentary form of government after driving out Ershad's autocracy?

Has there been a change of our Constitution that we are not aware of? Have we moved away from the parliamentary form of government to a Presidential one? Well, this is what the President's/Chief Adviser's statement seems to imply. We express our total bewilderment as to the statement of the President/Chief Adviser. We urge him to explain to us under what article of our Constitution has he declared that we are now under a Presidential form (or type) of government as is clearly indicated by the paragraph we quoted above.

Article 58B states "There shall be a Non-Party Caretaker Government during the period from the date on which the Chief Advisor of such government enters upon office after Parliament is dissolved or stands dissolved by reason of expiration of its term till the date on which a new Prime Minister enters upon office after the constitution of Parliament". So where is the provision of a Presidential form of government? Not only for the period of Non-Party Caretaker Government, nowhere is there any provision of such a system under any circumstances. In fact, there is no such expression in any part of our Constitution. From where did the President/Chief Adviser get the idea that he is now heading a Presidential form (or type) of government.

Let us consider the fact that he had to take oath twice. Rudimentary understanding of the Constitution suggests that if we are now in a Presidential form of government, then the original oath of office of the President should have been sufficient. Why then was it necessary to take a separate oath for the office of the Chief Advisor. This was needed simply because they are two different offices, with distinct functions and responsibilities in discharging which separate oath is necessary and as such mandatory.

The President and the Prime Minister are two very distinct posts with highly differentiated powers and functions. In our Constitution these two posts are so vastly different, both in terms of duties and power, that no comparison is possible. When an elected government is in office, the PM is all-powerful with the President having practically no power. Under the caretaker dispensation the situation remains more or less the same except that the defence portfolio goes to the President and collectively the caretaker government reports to him. Even then, it is the Chief Advisor who has all the powers of the prime minister. Article 58C(11) states clearly that "The chief advisor shall have the status, and shall be entitled to the remuneration and privileges of a Prime Minister, and an advisor shall have the status, and shall be entitled to the remuneration and privileges of a Minister." This means, throughout the tenure of the caretaker government, the chief executive of the government remains the chief advisor, and not the President.

Admittedly today's situation is exceptional. One individual, Prof. lajuddin Ahmed, combines two posts -- that of the President and the Chief Advisor (equivalent to the Prime Minister). The power he enjoys today comes from two distinct offices -- from the office of the President and from the Chief Advisor's. But under no circumstances either of the two posts is abolished. Just because he has assumed the office of the Chief Advisor while being the President, it does NOT mean that the post of the Chief Advisor has been abolished. Take for example Prof. lajuddin's last two speeches, in which he addressed the army and the secretaries. The former speech he had delivered as the President because the defence portfolio belongs to him during the caretaker period. But he could not have addressed the secretaries as the President. He could only do so as the Chief Advisor. The point we are making is that he ONLY enjoys two posts in one person, BUT THAT IN NO WAY CHANGES OUR FORM OF GOVERNMENT, as the Chief Advisor implied in his yesterday's speech. Could the Honourable President/Chief Adviser truly comprehend the enormity of the implications of his statement that he so casually mentioned in his speech to the secretaries?

For example, there is a day and night difference in the status of his advisers in a presidential and parliamentary forms of governments. Under the presidential system, the ministers serve the wishes of the president. Contrarily, in a parliamentary form of government, the ministers are an integral part of both decision making and policy making process. An adviser under Article 58C(11) enjoys the status of a minister of a parliamentary form of government. But the president's/Chief Adviser's statement that we

are now in a presidential form of government drastically changes the roles of the advisers. The accountability of the secretaries to the advisers undergoes a fundamental change in a presidential form of government as against the parliamentary form.

The President/Chief Adviser has made a statement that needs to be immediately clarified. We think he should say what he meant, why he said what he did, and under what provision of the Constitution did he base his statement on. Without such an explanation his interpretation of the Constitution will raise a lot of questions that will be extremely unhelpful for the task that faces him now. Given our highest respect for the post of the President and for Prof. lajuddin as a person, it our belief that those who drafted his speech, fundamentally erred in their interpretation of the Constitution, perhaps inadvertently. We urge the Honourable President to immediately examine the quality of the staff who are serving him.

There is another paragraph of his yesterday's statement we have to quote. The President/Chief Adviser said (our translation) "According to my own choice I have appointed officials in the President's office and they are performing their duties with diligence. Comments from some quarters on my personal staff are undesirable and amount to interference in the functioning of the State. (Bangla text: আমার পছন্দ অনুযায়ী আমি রূপকর্তার কার্যালয়ে কর্মকর্তাদের নিয়োগ দিয়েছি এবং তারা নিজের সাথে দায়িত্ব পালন করছেন। আমার ব্যক্তিগত কর্মকর্তাদের নিয়ে মহলাবিশেষের অন্তর্ভুক্তিত্ব ও রুদ্ভায় শরিকত্ব সামিল।)"

This is an amazing statement which is not often heard in a democracy. Does it not mean that anybody appointed by the President is above any accountability and questioning by anybody? Why does the President/Chief Adviser warn us about his personal staff and say such comments are undesirable? Does it befit the role, status and prestige of the President to make such a defence for a personal staff in such a public manner. In fact, the very reverse should have been the case. When questions are being raised in public about his personal staff he should have ordered an investigation and assured himself that the staff who work with him are really free of what they are being accused of. After such an investigation, his office and not he himself, could have issued a statement saying that comments about the staff in question have been investigated and have not been found true, and as such comments should cease. By personally coming to defend his staff publicly (it is only one staff who has been written about in the press recently) he has lowered the prestige of the high office of Presidency and has unnecessarily associated himself personally with a staff.

More amazing and one that verges on incredulity is how can comments about a personal staff be considered interference in the functioning of the State? How can one government servant, appointed on contract, be equated with the function of the State? It is our view that this particular staff has taken advantage of his proximity to the President and has misused his position by, perhaps, misleading the President/Chief Adviser in including such a paragraph in the official address of the President/Chief Adviser to the secretaries.

As we have written earlier, the President is our last hope. We must do everything possible to protect the President/Chief Adviser from any unnecessary controversy. But in such an effort everybody must play their part, including the Honourable President, and those who are assisting him.

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## UNDP report

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The campaign appeals to three drivers of change-disgust, self-interest and a sense of individual responsibility for community welfare.

"Across much of the developing world, unclean water is an immeasurably greater threat to human security than violent conflict," according to the report.

Each year, the report reveals, 1.8 million children die from diarrhoea that could be prevented with a glass of clean water and a toilet.

A total of 443 million school days are lost to water-related illnesses, and almost 50 per cent of all people in developing countries are suffering at any given time from a health problem caused by a lack of water and sanitation.

"Yet unlike wars and natural disasters, this global crisis does not galvanise concerted international action," says the Human Development Report (HDR).

"Like hunger, it is a silent emergency experienced by the poor and tolerated by those with the resources, the technology and the political power to end it." With less than a decade left to reach the Millennium Development Goals (MDGs) by 2015, this needs to be changed, stress the authors of the report.

## lajuddin says

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work impartially to achieve this goal and they have to be careful so that no one faces political harassment.

lajuddin asked the bureaucrats to make sure that the offices under different ministries and divisions and the field-level officials strictly abide by the government instructions.

He informed the meeting that he had already asked his advisers to concentrate on the functions of their ministries.

The president said since the role of media is very important for the election, the government-controlled media will have to play their part with utmost objectivity. "Any lapses might lead to dangerous consequences unacceptable to the nation," he said.

Cabinet Secretary Abu Solaiman Chowdhury told the meeting that a new list of deputy commissioners and other deserving officers excluded earlier will be prepared from next Friday.

He said the home secretary felt the interim government should revise the voter lists as electoral chaos usually takes place for faulty voter lists.

EC Secretary Abdur Rashid Sarkar told the meeting that the EC is prepared for holding the election and sought cooperation from all in completing the task.

The foreign secretary said all facilities should be provided to election observers so that the country's image could be enhanced and that a cell has been established for this purpose.

The finance secretary observed that the government has to increase revenue collection for spending more for eliminating poverty as 5.5 crore people in the country are still under the poverty line.

The jute and textiles secretary suggested increasing the retirement age of the government officials and cancelling all contractual postings.

The power secretary suggested taking measures to ensure uninterrupted power supply during the time of election.

The principal secretary to the chief adviser assured that all cooperation will be extended for holding a free and fair election.

## Americans

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from India and major highways leading to Dhaka and Chittagong. All modes of transportation, including rail and river, were disrupted temporarily.

According to the statement, the US embassy in Dhaka expects the situation throughout Bangladesh to remain uncertain through January 2007, when national elections are to be held.

It said transportation networks and other services might be disrupted by sporadic local or country-wide agitation. "The embassy advises all Americans travelling or residing in Bangladesh to keep abreast of developments when planning travel," the announcement said.

## Mashhud

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Monday, the CEC denied that the council of advisers or any adviser met or requested him to resign.

"How do you know that they [advisory council] made any requests to me for my resignation? If they did, I should know first," Aziz said.

Two days after the CEC's denial, Hasan Mashhud on Wednesday said, "Both of us cannot be telling the truth."

Asked who is telling the truth, Mashhud told reporters, "I am telling you, I visited his (CEC) residence. I visited his residence along with the military secretary to the president to ask him whether he would be willing to step down. To which he said a definite 'no'. I had gone there after a consensus decision of advisers and being asked by the president and chief adviser."

In the wake of the latest development, a group of reporters yesterday noon sought appointment with the CEC through his personal secretary. The secretary asked the journalists to give in writing the purpose of their meeting with him. Then they sent a written question asking, "What is your (Aziz) opinion on Hasan Mashhud Chowdhury's claim that he visited your residence."

The personal secretary entered the CEC's office room and came out. "Sir, does not want to talk on the issue," he told reporters at 3.30 pm.

When Aziz was leaving office at 5:00pm, the waiting journalists asked him, what is your comment on Hasan Mashhud's claim?

"I have nothing to comment on it," was his curt reply.

Earlier, Australian High Commissioner Douglas Foskett met the CEC and discussed preparatory work for holding the next parliamentary election.

Jamaat-e-Islami leader Delwar Hossain Saydee also met Aziz at his office. Later, he told reporter that he discussed some matters relating to his own constituency.

## US senate

FROM PAGE 1

Democrats, 49 Republicans for most of Wednesday, with Virginia hanging in the balance. Webb's victory ended Republican hopes of eking out a 50-50 split, with Vice President Dick Cheney wielding tie-breaking authority.

The Associated Press contacted election officials in all 134 localities in Virginia where voting occurred, obtaining updated numbers Wednesday. About half the localities said they had completed their post-election canvassing and nearly all had counted outstanding absentees. Most were expected to be finished by Friday.

The new AP count showed Webb with 1,172,538 votes and Allen with 1,165,302, a difference of 7,236. Virginia has had two statewide vote recounts in modern history, but both resulted in vote changes of no more than a few hundred votes.

It had been clear for weeks leading up to the election that Democrats were strongly positioned to challenge Republicans for House control.

But Democrats began the year with fewer seats than at any time since Herbert Hoover occupied the White House. Even Reid, the Senate's party leader, mused aloud at one point that it might take a miracle to capture Senate control.

"From changing course in Iraq to raising the minimum wage to fixing the health care crisis to making this country energy independent, we're ready to get to work," he said in a statement late Wednesday.

Earlier, Sen Mitch McConnell, R-Kentucky, all but certain to become the next minority leader, said: "In the Senate, the minority is never irrelevant unless it falls into the very small numbers. I don't think, as a practical matter, it's going to make a whole lot of difference in the Senate, being at 49."

Webb's win capped a banner election year for Democrats, who benefited from the voters' desire to issue a searing rebuke of the status quo.

The president, who spoke of spending his political capital after his successful re-election two years ago, acknowledged, "As the head of the Republican Party, I share a large part of the responsibility."

With power on Capitol Hill tilting, Bush announced that Defence Secretary Donald H Rumsfeld would step down as Democrats have demanded.

The war in Iraq, scandals in Congress and declining support for Bush and Republicans on Capitol Hill defined the battle for House and Senate control, with the public embracing the Democrats' call for change to end a decade of one-party rule in Washington.

"This new Democratic majority has heard the voices of the American people," said Pelosi, adding that Americans placed their trust in Democrats. "We will honour that trust. We will not disappoint."

With the GOP booted from power, lame-duck Speaker Dennis Hastert, R-Illinois, announced he will not run for leader of House Republicans when Democrats take control in January.

"Obviously I wish my party had won," Hastert said in a statement that added he intends to return to the "full-time task" of representing his Illinois constituents.

In the Senate, Democrats soundly defeated Republicans in Ohio, Missouri, Rhode Island, and Pennsylvania. The battle for Senate power came down to Virginia and Montana and vote counts for those stretched into Wednesday.

By midday, Tester rode to victory over Burns, a three-term senator whose campaign was shadowed by a series of missteps and his ties to Jack Abramoff, the disgraced lobbyist at the centre of an influence-peddling investigation.

"One hundred thousand miles and 15 hours later, here we did it," said Tester, an organic farmer with a flat-top haircut who lost three fingers in a meat grinder.

In Virginia, Webb, a former Navy secretary under Ronald Reagan, declared victory, began to set a transition team in motion and called himself senator-elect. Allen, a swaggering cowboy boot-wearing former Virginia governor who favours football metaphors, refused to concede and waited to make a move until after the completion of the county-by-county canvassing.

County Republicans lost ground with swing voters such as Catholics, independents, Hispanics and suburbanites, according to exit polls conducted for the AP and the television networks. The GOP held its conservative base, but Democrats made inroads with moderates.

"We came to Washington to change government and government change," lamented Sen John McCain, R-Arizona, his eye on the next election in 2008. "We departed rather tragically from our conservative principles."

In the House, Democrats won 230 seats and led in two races, while Republicans won 196 seats and led in seven races. If current trends hold, Democrats would have a 232-

## Sixth largest city

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Chairman of the Centre for Urban Studies Prof Nazrul Islam, Managing Director of the Urban Habitat Limited and Managing Director of the Sheltech Consultants gave their comments on the presentation.

In the keynote paper, Sadiq said inadequate services, including water, sewerage, electricity, housing and transport facilities, make the city one of the problematic cities of the world, Poor management, low efficiency and corruption in rendering services are increasing the problems, he said.

Sadiq said the capital needs a strong elected city government, which will be accountable to its dwellers with defined responsibilities and well-identified and probable source of funding.

203 majority. Without losing any seats of their own, Democrats captured 28 GOP-held seats. The party won in every region of the country and hoped to strengthen their majority by besting Republican incumbents in races that were too close to call.

Putting another notch in the Democratic column on Wednesday, Pennsylvania Rep Mike Fitzpatrick, a freshman, lost his re-election bid to Democrat Patrick Murphy, a decorated Iraq war veteran, by about 1,500 votes.

In Ohio, Rep Deborah Pryce, the No. 4-ranking Republican in the House, struggled to fend off a fierce challenge from Democrat Mary Jo Kilroy in Columbus, and GOP Rep Jean Schmidt, who famously suggested that a decorated Marine veteran of Vietnam named John Murtha was a coward, faced the possibility of defeat in her southern Ohio district. Both were leading but the final tallies were complicated by provisional and absentee ballots.

Republican incumbents also were slightly ahead in four other states but those margins were too tight to declare a winner. They were GOP Reps. Heather Wilson in New Mexico, Robin Hayes in North Carolina, Dave Reichart in Washington and Barbara Cubin in Wyoming.

In Connecticut, Democrat Joe Courtney sought to hang on to a minuscule 170-vote lead over Rep Rob Simmons in a race that appeared headed for an automatic recount.

Elsewhere, Texas GOP Rep Henry Bonilla was headed to a December runoff against Democrat Ciro Rodriguez because the congressman got only 48 percent of the vote in an eight-candidate field. He needed 50 percent to avoid a runoff.

Aside from gains in Congress, Democrats took 20 of 36 governors' races to give them a majority of top state jobs 28 for the first time in a dozen years. Arkansas, Colorado, Maryland, Massachusetts, New York and Ohio went into the Democratic column.

Democrats also gained a decisive edge in state legislatures, taking control of several and solidifying their hold on others. With the wins, Democrats will be in a better position to shape state policy agendas and will play a key role in drawing congressional districts.

## No public servant

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