The Daily Star

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DHAKA MONDAY NOVEMBER 20, 2006

Election 2007: The road to nowhere

Throughout the process described above, there is clear evidence of bias by the Election Commission towards the then ruling party and incompetence and lack of transparency in the whole process of creating the voter list and in addressing the complaints. There is not a single independent organization which has expressed confidence in the ability of the current commission to hold a credible election.

have grown by a whopping

22 percent, contradicting

the official statistics of our

projected voter growth as

per figures of 2001 census

report. Based on 2001

census (the number of 13+

years old people), if there

is no death and if every

single eligible voter is

listed, then the maximum

number of voter that can

The new list shows the

number to be 9.13 crore. In

fact, it should be less than

the 8.02 crore number as

at least 10 lakh people in

the age group died in this

be 8.02 crore.

ASIF SALEH

ITH so much chattering over their loyalty towards it. the Election Commission's impartiality and the fake voters on the list, I think it is time now to look back and see step by step why people are guestioning the impartiality of the Election Commission in spite court objection. and also see the possible impact of going into this published amid accusaelection with the existing tions of irregularity in voter list. electronic and print media. Those of you who have Draft list shows voters

just started paying attention to this crisis, here is a primer on what happened with the voter list. The goal of this exercise to lay out the facts, identify those who are still supporting this commission actively or passively and determine the next steps for us, the citizens. and the advisorv council.

2005

August 6 : CEC unilaterally decides to go for a fresh voter list amid objection from the opposition. December 12: Awami League files for staying creation of new voter list and instead asks for updating of the previous voter role. From 1982-1995 voter list was updated based on the previous list. No new list was created. 2006

January 4: High Court stays creation of the new voter list. January 8: CEC decides to appeal and move on with creating the new voter list amid objection from the other two commissioners January 15: CEC claims sickness and refuses to meet the other two commissioners. He would have been overruled in his decision to appeal in a meeting by the majority.

January 22: The governnumber of voters is even May 12: After sample ment appoints two more more astounding. The analysis of 20 districts. percentage of fresh regiscommissioners known for gaping holes in the list are tration in Cantonment area found. There were more is 77.83, in Motijheel January 25: Election 74.26. Pallabi 73.96. Commission meets and voters (often by more than 15%) listed than possible. Dhanmondi 72.66, Mirpur CEC expectedly gets May 19: BNP minister 71.92, and Uttara 68.96. majority with the help of the Moudud Ahmed alleges The Kotwali area, hownew commissioners in irregularities in his home ever, witnessed only 28.52 deciding to carry on with constituency. per cent rise while other creating the new voter list May 20: EC says such areas witnessed 45-61 per anomalies are not out of cent rise. Mav 3: Draft voter list

ordinary May 23: After nearly 100 crore taka was spent on creating the new voter list, the Supreme Court asks the EC to update the last voter list, nullifying the newly created voter list. May 25: Major newspapers ask for the CEC's existing voter list." resignation July 21: The existing voter list (used in the last elec-

tion) starts to get updated after confusion over how to update the list. The commission only agrees to go door to door for the updating, the traditional way, after heavy pressure from the civil society and media. September 7: Draft report questions the comupdated list gets published petence of the CEC:

of

amid another shocker. The five years. Moreover, if the number of voters in the standard calculation that at least 5 per cent voters do updated voter list has now not get listed for various reached 93,082,499. The reasons is factored in. then existing electoral roll had another 40 lakh would 7.64 crore voters after reduce. This means the inclusion of the names of new voters for different actual number of voters should be around 7.5 local government body elections in the last five The BBS report May 4: Account after vears. account comes out: fake shows the number of people aged 18 years and voters, voters from nonexistent villages, a single -- the age for a above person to be eligible for acknowledge that a probhouse having nearly 100 voters while whole villages voting -- should be maxihaving less than 10. mum 8.02 crore if no stranded Pakistanis who deaths occur during the

refuse to be voters having last five years and every misinformed. The delegatheir names included, eligible person is listed. Rohinga refugees being In addition, 1.28 crore made voters, prominent voters are unaccounted persons including sitting for. In the capital, the MPs being excluded from percentage of rise in the

Commission secretary for the savs there is not enough CEC time to fix the voter list. We Aziz's go into the election with resigmore than 1.3 crores of nation. names (close to 15%) The unaccounted for in this list. ques-November 17: European tion Parliament calls for reconnow is stitution of the Election whethe Commission due to the loss the rest of of confidence of public. the

November 11: Election

Perspective advis-In 2001, the BNP won 26 ers, seats with a margin of less who then 5%. 41 with less then a r e 10%, and another 41 with workless then 15%. That means ing day a total of 108 seats are a n d separated by a vote swing night of 8%. Now we have a voter on this Election Commission list with as much as 15% of thanksecretary admits error in fake or unaccounted votless job the process: "It is my ers. You be the judge on s i nhonest confession -- the how significant the voter list cerely, task for updating the voter would

list was not done the way it Throughout the process should have been ... I have described above, there is doubts over the process of clear evidence of bias by the Election Commission deleting names from the towards the then ruling September 11: NDI leader party and incompetence Tom Daschle was deeply and lack of transparency in concerned that the new the whole process of voter list runs over 93 milcreating the voter list and in addressing the comlion, out of a population of about 140 million, a size plaints. There is not a that was "substantially single independent organiinconsistent" with the 2001 zation which has census data. A voter list expressed confidence in containing two-thirds of the the ability of the current population strains credibilcommission to hold a ity, the NDI report said. The credible election.

In an op-ed piece in Prothom Alo on Sunday, Dr "The delegation was Badiul Alam Maiumdar of deeply concerned to hear Shujan has clearly articufrom a broad cross-section lated the steps by which (and parties, civil society, justification for) a Supreme media and independent Judicial Council can be observers of a widespread called to remove the election commissioners. Similarly, lack of confidence in the Election Commission and. there is provision to neutralize the current commissionspecifically, the Chief Election Commissioner ers by giving them forced leave of absence. So there When the delegates raised are ways in the constitution the issue with the Commissioner, he did not to get around the problem. However, the chief advilem existed and later sor has not even in principal reported to the media that accepted that these commissioners are obstacles to the delegation had been a fair election. That is where Mr lajuddin's charade of tion has identified a percepneutrality and objectivity tion of incompetence and breaks down. He is hiding bias as a serious problem behind the constitution that requires being without even expressly

of the time. With the backing from the rest of the country, I earnestly hope that they will be able to do the same.

In the meantime, what authority as the chief are we, the citizens, supadviser. It is imperative now posed to do? While it is one that the other advisers of the lowest points for our assert themselves and look nation, it is also an opporfor alternative options of

fix the politics. whole country to the brink of

disaster. It is now time for As a first step, we all the rest of the advisers to now have to take a stand step up to the plate and for Bangladesh. Say yes to govern by majority in the accountability by ensuring council. Very few people a clean election. Say no to can rise up to the challenge the politics of violence and

choking people with block ade. We have to take back Bangladesh from this madness -- all of us together

Let's start wearing a black badge and start putting up a black flag in our houses. There was a gathering of such independent people on Saturday in front of Jadughar led by Anisul Huq. We need more self starter initiatives like this. We have to speak ourselves for us because we have sadly but surely now have realized that there is no one to speak for us, the

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Wear a black badge

E all want free and fair elections. It is widely agreed that neutrality of the caretaker administration and Election Commission is a pre-requisite for free and fair elections. The chief of the caretaker

government, it appears, is neither non-partisan nor neutral. and the conduct of the Election Commission has hitherto been shocking. At the same time, while many

in the nation agree with the 14party agenda in regards to securing free and fair elections, their destructive methods have precluded public participation on a mass scale

Yet, we wish to participate in the destiny of Bangladesh. We want free and fair elections. It is time that we, the genera public, take a stand.

Back in 1969-71, wearing a concerned citizens' group. small rectangular black badge

tunity for us to speak up, taking decisions by majority in the council. They stand at unite, and open up the channel for the much a historical cross road of the needed people's voice in We looked at Mr lajuddin our politics. Whether we are the richest business Ahmed with a lot of hope person or the poorest that he would serve the country rather than his rickshaw-wallah. we are all benefactors. Regrettably, getting hit with this crisis. Perhaps this illustrates he has decided to serve his benefactors bringing the how important it is for us to

average Bangladeshis

on the arm or chest became a powerful symbol of protest against the vile political machinations of the Pakistan government. Virtually everybody wore it. The black badge expressed the single-mindedness of the people

in their quest for justice. It is once again time that we, the general public, take a stand. Starting November 20, 2006.

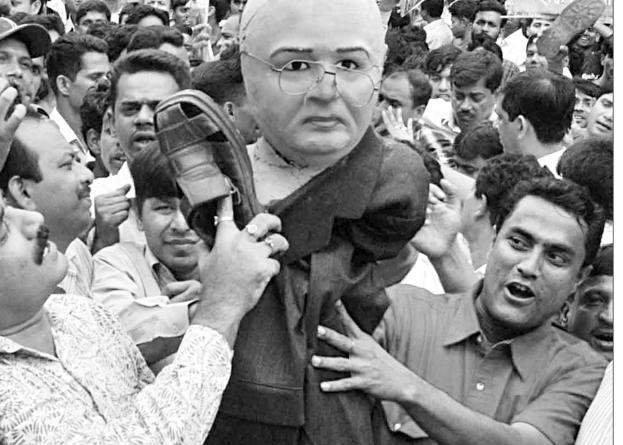
wear a black badge on your arm or chest, or fly a black flag on your roof or car to protest against election engineering and also the violence that is being done in our name.

> Free and Fair Elections is one of the basic entitlements we have as a citizen of this great nation. It is now upon us to protect it.

> > An appeal from Take Back Bangladesh, a

EC, voter list and electoral reform

And they lived happily ever after



TARIKUL GHANI

ERE are some more thoughts on the political impasse that has engulfed our country and some suggestions that may help us out of the mess:

EC: What is public confidence?

We often hear or talk of public confidence on the Election Commission (EC) or election administration. What does it mean in reality? Put simply, public confidence in the election administration means that the EC must possess three important elements, among others: neutrality, efficiency, and transparency.

Neutrality means that the people who run the election administration -- the commissioners and all other election officials including the returning officers, district/upazila election officers, polling station officials, and security personnel must all be neutral in their acts, deeds, and words.

They must not reflect any preferences for any party or candidate in their work while they are free to exercise their right to franchise in favour of the party/candidate of their choice. However, it is not enough to think that one is neutral but one must be perceived to be neutral by others. Perception is as important as the reality.

Efficiency is another hallmark of confidence building. How efficiently one can do one's work helps establish people's confidence. The failure of the EC to produce an accurate list of electors, popularly known as voter list, reflected poorly of the EC's efficiency. In the process of preparing a seriously flawed voters list, the EC not only squandered public money but also committed contempt of court by defying orders of the High Court.

For preparing a flawed list squandering public money and for contempt of court, the EC must be investigated and exemplary punishment meted out to those responsible. The formation of a Supreme Judicial Council to try the CEC and other commissioners, demanded by all except the 4-party alliance, seems to be in order.

The other critical factor is transparency -- this means that all activities and decisions of the EC must be transparent. In the Philippines. for example, all decisions of the COMELEC (EC) are documented in a transparent manner -- why a certain decision was taken or why a certain option was rejected: who

had voted for the decision and who had dissented etc. The decision memo is released to the media and available to the public. Sure, our EC clearly fares poorly on all three aspects therefore: it is not surprising that the EC does not enjoy public confidence.

Should the CEC decline to resign, as any self-respecting individual should have under the circumstances, it is possible to constitute a more balanced EC by inducting at least four new commis sioners and creating rules of business for the commission by which it must be made to work as a body and document their decisions made by a majority vote of all commissioners and making those public for scrutiny. The rules of business must pro-actively pro-

mote the three elements discussed above

best out of a bad list?

our current voter list is highly inaccurate to a point that any election held on the basis of this list is likely to skew the will of the people, and outcome of the election will certainly be guestioned. Given the paucity of time, it must also be admitted that it is not possible to work on a fresh list or rectify the existing list. So, what do we do? How can we improve the existing list to hold a meaningful election? The broad problems manifested

in the current voters list are as follows: a) eligible voters are excluded; b) ineligible voters (underage, dead, or non-existent people) are included: and c) multiple registration of same voter.

number of measures can be considered by temporarily amending the voter registration laws. To include the eligible voters that are excluded from the list, all such

excluded voters can be told to take a standardized identification document from their respective ward commissioners or Union Porishod chairman and go to their respective polling stations where the polling officials will include their names in a supplementary list and allow them to vote

addressed.

Dead people cannot come to vote but it will not be possible to prevent underage voters as our laws stipulates that those on the list must be allowed to vote -- a campaign to caution underage voters not to turn up to vote may help.

To deal with the concerns emanating from multiple registrations and "ghost voters" it is necessary to rigorously apply high quality indelible ink on every voter that has voted to ensure that they can not vote a second time. Further, the polling agents must be trained by candidates or their election agents and remain on high alert. It is admitted that the voter list is seriously flawed and the aforementioned suggestions are only to get the best out of a bad list -- these suggestions are, however, not a substitute for an accurate list Having made significant demo-

thus incapacitating them to win

Voter list: How to get the Undoubtedly, by any standards,

be revised and updated to include newly enfranchised voters, exclude the dead and those who had moved residences and register the voter who moved residences in the new place. It is necessary to consider if the local government should be involved in preparing and retaining the voters list so that people could update the list at any time.

Electoral reform: Any political will? Two points must be made before mentioning anything on electoral reform in Bangladesh: a) existing election laws must be enforced;

To make the list workable a and b) the political parties and their leaders do not have the political will to meaningfully reform the electoral laws because such reforms would bind the leaders and their parties.

elections by means fair or foul. It is for this reason that political parties and their leaders have never made any substantive reforms to the election laws. The most critical electoral reforms were indeed made by caretaker governments. Having said that, the following reform recommendations may be

considered: 1) One person should be allowed to contest from one seat only instead of five -- it would relieve the burden to conduct by polls which are often controversial. 2) The EC should organize common projection meetings of al contesting candidates -- one in each union under rules set by the EC. Candidates will not hold any other public/projection meetings of their own. Political party central leaders can hold only one public meeting in each thana/municipality. EC should print one common poster including the names, photographs, and symbols of all candidates in Bangla alphabetical order. Each candidate may print one leaflet of A-4 size to publicize the candidates profile and programs. Candidates cannot print individual posters. These measures wil cratic gains since 1991 it is a reduce the influence of money in shame to note that we still do not elections and enable relatively less well-off but honest candidates to have an electronic database for run elections and reduce the cost voters in place. Having a database for running elections. These two of voters is an urgent need. measures were tried successfully Subsequent voters list should only

> model elections. 4) For this election only, given the total politicization of the administration, officers from the judiciary should be made returning and assistant returning officers.

during the Tongi and Dapunia

These recommendations are in addition to those made at the CPD seminar to establish a disqualification committee that should be empowered to remove any candidate or election or administrative officials from the race or from election duty while the remaining candidates continue to run the election.

Tarikul Ghani is founding Executive Director, Fair Election Monitoring Alliance (Fema), and Member Secretary, Fema National Committee.

SYED MAQSUD JAMIL

OST of us have been raised on tales. The tales of the land go on forever. Our history is therefore full of excitement and heroics. It does not however end with the fond lines: "And they lived happily ever after.'

Our Language Movement is a glorious tale. The Muslim League was routed in the 1954 election. But the Jukto Front did not live happily. It culminated in the then deputy speaker Shahed Ali loosing his life in a sordid incident Democracy stood to loose. And that brought Ayub Khan and his basic democracy. Or more aptly what Justice Kayani said: beasts, birds, and basic democracy.

The land got its hero, Bangabandhu Sheikh Mujibur Rahman. Finally the day dawned, the birth of Bangladesh. The land should have lived happily ever after. But it did not. Ershad was a banal version of Ayub Khan. He was gone and democracy got a chance. We are now living in the tales of the present time. Fifteen years after, the land is far from happy. The trial started with the demand for caretaker government. We muddled into it. The seeds of mistrust continue to bring us bitter harvest. Every single term

The parliament did not receive a fair and sincere treatment. Economically, fifteen years is not a lot of time for the people to live happily ever after. It surely is a reasonably good time for building an institution. Has the time come for the people to say enough is enough? Possibly, because the country is living dangerously. The times we are in are of extreme nature. To borrow from Charles Dickens, it is the best of times: it is the worst of time, it is the age of wisdom, it is the age of foolishness. In a way it bids well for the country that in the eye of the storm stands a single person. The Chief

Election Commissioner Justice MAAziz.

A justice is regarded for his iudament. It is believed that the quality of his judgment is higher than the rest of us because he needs it most. What judgment should tell him about holding on to the office in a dour manner? He surely understands that he will not be doing justice to his duty with the nation divided over him as the

CEC The nation is in full agreement with him that it is a constitutional responsibility. But the constitution is for the entire nation. Can he sensibly perceive of holding a national poll with only the 4-party alliance taking part in it. As for the justifiability of forcing him to resign, he should leave it to history

and the nation. He can carry on stubbornly only at the cost of subjecting the country to an uncertain future. The nature of which, of all persons, a justice should know well

It will be an equally difficult task to find a new CEC acceptable to the Awami League and the BNP. The differences can defeat the most honest and the persevering. An acceptable CEC should persuade the Awami League to take part in the polls. It should not lead to demands for further concessions on their 11-point charter. That will present them as a spoiler. And it will be to the detriment of their favourable poll prospects.

As for the BNP, cooperation will shore up their beleaguered image Considering that they are all going to the polls it will bring to the fore the mother of all questions. Would the losing side accept the polls verdict? Going by the track record, for the Awami League the answer is no! A partisan president conducted the polls. And back to where we are. The BNP will be no exception. It will also be no! The caretaker government presented the election to the Awami League. It is going to be a lose-lose situation

There is no realistic prospect of living happily ever after. We will not have an Aziz to blame. King Lear or so to say our Prof lajuddin will end up an unhappy and maligned man. I am tempted to borrow from Shakespeare's

Twelfth Night that "the fault is not in our stars, but that we are born underlings."

We can as a nation live in a peace if not for all times but for a ime, if our national politics wills it to be so. The problems of our politics with all its potentialities have come to a head. Now is the time to resolve it for our time and for times to come. It is felt today and it has been felt in the past that the nation needs the sobering influence of a guardian as a uniting figure.

A useful and sturdy bridge would have saved the nation much of the pain and bitterness. Our experience of the president as the quardian has not been good. The ast three have not been able to leave with honour. It is natural in a system of government where the president is a mere titular head of the state. Our misgivings about a meddling president worked behind it. As a result the prime minister has all the powers in the

The two ladies we had as prime minister are by all accounts greatly assertive personalities. The inheritance of tragic legacies made them to be so. Constructive engagement between the Awami League and the BNP as a practice did not have a chance. On the other hand the legacy dominates much to the detriment of the two parties and to the woe of the nation

world.

The outgoing prime minister's son was brought into politics to groom him as a possible successor. It has proved to be premature and perilous. BNP has another challenger in LDP. In a way, it augurs well for democracy within the parties. A guardian of the nation in the president will be good

in the interest of bi-partisan spirit. Particularly on issues of national importance, like civic peace and national prosperity

We all know that Bangladesh is

on the threshold of an economic breakthrough. The latest issue of Time magazine shows us among countries with fastest-growing exports. Our exports grew by 16.1% over the period 2001-2005. A spirit of bi-partisan initiative between the two alliances is the best guarantee for keeping it up. Returning a reasonable and useful degree of power to the office of the president and choosing him by consensus will be most conducive for the initiative. Keeping the Election Commission under the president can build confidence. In course of time, the country may no longer need the caretaker government. Good governance prospers with a reasonable degree of wellmeaning vigilance. For a time the iudiciary and the ACC can do well under a president chosen by political consensus.

Over most of the last 15 years we have seen an orphaned chamber in place of the national parliament. The idea has grown stronger that it is power the politicians seek, not national representation. The solution for it is to make the parliament effective by empowering the opposition.

It is in the interest of parliamentary democracy that the speakers of the parliament are chosen by consensus. It is natural that the politicians understand the political problems better and are fully capable of solving them.

For us, these are all pious wishes and a longing for a national well-being and conciliation. Because, at the end, it is the people who bear the cost of political turmoil. Politics is the art of the possible. This time, let the politicians make it possible. Let them give the people a chance to believe that indeed we can live happily ever after.

saw years of a limping parliament.