

Too little, too late?

Thus, it seems that we are losing this last opportunity to correct the electoral roll before the elections. Is it because of the incompetence of the EC or its lack of concern for public interest or both? The commission, unfortunately, has the dubious record of acting against public interest in the past. The best example being its unwillingness to fully and completely implement last year's historic High Court judgment on disclosures of antecedents of candidates running for national office. We hope that the "reconstituted" EC, if reconstituted with public interests in mind, will do better in the future.

DR BADIUL ALAM MAJUMDAR

AS the old adage goes, you can drag a donkey to the water but can't make it drink. The same appears to be true with our Election Commission (EC). Notwithstanding all the pressures to the contrary, it is continuing to work against the best interests of the voting public. Its effort to correct the electoral roll is another half-hearted initiative.

After widespread criticisms about the accuracy of its revised electoral roll -- revised last August -- and pressures from the caretaker government advisers, the EC has finally decided to remove glaring errors from the roll. To this effect, it issued a letter to its field offices on December 5, replacing another letter of November 26. Based on the available information, the commission will give temporary appointments to 140,000 individuals who will go to households during December 8-11 for identifying names for deletion and getting the relevant form com-

pleted. Later, during December 13-15, the assistant registration officers will hold hearings and make the necessary corrections in the revised roll. The whole correction process will be done in a week at a cost of about Tk 10 crore.

Since an accurate electoral roll is an essential prerequisite for fair elections, the EC's initiative to once again revise the electoral roll is very significant. In fact, if we are to hold elections on time with the participation of all major parties, which is a constitutional obligation, this is our last opportunity to make the electoral roll truly and reasonably error free. We, therefore, welcome the initiative of the EC. However, we are afraid that it is too little, too late, and is unlikely to succeed.

The commission's initiative has serious flaws. One of the main shortcomings is that its efforts are only to delete names. Its instructions call for using Form-9, which is meant for only deletion of names of voters who are either dead or have lost eligibility. Nothing is said in the commission's letter of December 5

for inclusion of names, although the earlier letter of November 26 had instructions for inclusions in the electoral roll.

It is well known that the errors in the revised electoral roll are not only due to duplicate registration of same names and fictitious names in the roll, many eligible voters also failed to be enrolled in the revision process. The recent National Democratic Institute (NDI) survey clearly provides evidence for it. The survey shows that 13 percent of the voters in the revised roll are false, of which 6 percent are fake and 7 percent are duplicate voters. In other words, the revised electoral roll contains at least 1.21 crore questionable voters. In addition, 2.5 percent genuine voters could not be enrolled. Thus, deleting names from the revised roll is not enough, it will also require inclusion, by using forms 2 and 7, of those voters who were left out. The Commission has not so far taken any initiative for such inclusion.

Another serious concern about the EC's initiative arises from the fact that the same individuals who were involved in the earlier revisions would be again employed for the task ahead. There have been many media reports about the ineptness and partiality of these individuals. We know from our own experiences that some of these temporary hires in the past did not go to households themselves, instead they sent their students for the job. It was alleged that many of these students belonged to the student wings of certain political parties. In addition, they did not go to many households and consequently many eligible voters were left out of the electoral roll. How can we be sure that these individuals will be more serious and careful this time?

Other serious questions about the EC's initiative are: What would be the procedures for corrections? How would they be different from the previous procedures which did not work in the first place in identifying duplicate voters? If the offenders or their family members do not volunteer the information about the duplication, how would the task be accomplished?

Another serious concern is about the publicity, or lack of it, about the initiative. To the best of our information, during the previous revision, advertisements were placed for two consecutive days only in five newspapers which did not include the dailies with highest circulation. This time also there does not seem to be a serious media campaign planned. In addition, only three days may not be enough for this gigantic task while 22 days allowed for the last

revison could not produce a reliable electoral roll. Thus, we are concerned that the Commission may not succeed in bringing the errors in the electoral roll to an acceptable level.

We cannot help but raise another question. Why did the EC send only 30,000 forms to its field offices? The number of households in Bangladesh is at least three crore. In addition, if we go by the NDI estimate, the revised roll has at least 1.21 crore questionable voters. How could 30,000 forms be enough for the task?

Given the above concerns, we specifically propose that:

- Electoral roll be prepared afresh for major cities, especially for Dhaka and Chittagong. For such fresh preparation, the existing electoral rolls will have to be cancelled first under Article 7(7) of the *Electoral Rolls Ordinance 1982* on account of major errors. Then enumerators will have to be sent from door-to-door for collection of information, a draft roll prepared and published using the information collected, and then the final roll published after the necessary revision.
- The EC publishes the electoral roll revised last August as a draft roll. After it is available for public inspection, which is so far not available, necessary amendments and deletions could take place under a Revising Authority set up per Article 9 of the *Ordinance*.
- The EC initiates a major media campaign using both the print

and electronic media to inform the general public of the initiative.

The campaign must emphasise that having names in the electoral roll more than once is a punishable offence. The opinion makers of the society should be used in the campaign.

• A permanent electoral roll be prepared and kept in display in Union Parishad, Paurashava and City Corporation Ward offices. Such display will enable the continuous revision of the roll. Photo ID cards for voters will also have to be issued in the future as part of the permanent roll.

The publication of the revised electoral roll as a draft roll is attractive on several counts. First, this will ensure full compliance with the last April's Supreme Court judgment on electoral roll. In the above judgment, Justice Tafazzul Islam directed: "[B]efore the 9th Parliamentary elections, it is the existing electoral roll, i.e. the electoral roll of 2000, with some addition, deletions and modification as may be necessary, is to be published as draft electoral roll." Three other justices -- Chief Justice J R Mudassar Husain, Justice Md. Ruhul Amin and Justice M M Ruhul Amin -- concurred with this opinion of Justice Islam.

Furthermore, if a draft roll is published, it will create opportunities for activists of political parties to be involved in the correction of the electoral roll. If the opposing political parties are engaged in the process and a competitive environment is created, it will pave the way for developing a reasonably reliable,

and more importantly, an acceptable roll.

According to media reports, our Acting Chief Election Commissioner Justice Mahfuzur Rahman mentioned that because of the Supreme Court judgment, the EC is not able to touch the electoral roll prepared in 2000. This is far from the truth, as can be seen from the direction of Justice Tafazzul Islam, quoted above. Furthermore, the main judgment written by Justice Amirul Kabir Chowdhury, clearly directs the EC to revise the electoral roll taking into consideration the roll prepared in 2000.

In other words, the court directives call for amendment and modifications of the existing roll. In addition, Rule 20(6) of *The Electoral Rolls Rules 1982* states that: "When an electoral roll has been amended under this rule by the Registration Officer, corresponding amendment or correction shall be made in the copy of the electoral rolls in his custody as well as in the copies of the rolls kept at other places under rule 22." The law also does not provide for "supplementary electoral roll," as prepared by the commission. Thus, we are deeply puzzled by Justice Rahman's claim.

It is also often claimed by the EC as well as other important personalities that a voter can include his/her name in the electoral roll until the day before the election. This is a misleading claim in that such inclusions require the permission of the commission. After the declaration of the election schedule, the field level officers of the EC can no more

amend the electoral roll until the election is over. Thus, ordinary citizens even from the Dhaka city, not to speak of potential voters from distant areas, do not have ready access to the option.

To conclude, by all accounts, the electoral roll revised by the EC last August has serious errors. Thus, the commission so far has clearly failed in its constitutional obligation to prepare a reliable electoral roll for the coming Parliamentary elections. Its most recent initiative to once again correct the revised roll -- the initiative taken as result of the prodding by the advisers of the caretaker government -- is half-hearted at best in that it only seeks to delete the duplicate names from the roll. But the duplication of names is not the only problem with the revised roll.

Thus, it seems that we are losing this last opportunity to correct the electoral roll before the elections. Is it because of the incompetence of the EC or its lack of concern for public interest or both? The commission, unfortunately, has the dubious record of acting against public interest in the past. The best example being its unwillingness to fully and completely implement last year's historic High Court judgment on disclosures of antecedents of candidates running for national office. We hope that the "reconstituted" EC, if reconstituted with public interests in mind, will do better in the future.

Dr Badiul Alam Majumdar is Secretary, Shujan (Citizens for Good Governance).

Who lost Turkey?

Whatever the outcome, Turkey's struggle is going to have serious repercussions. Europe's alienated and angry Muslim minorities, for instance, will hardly be encouraged to come to terms with Western culture if Europe sends a clear signal that Turks cannot be full Europeans. And in the wider Middle East, Turkey's growing role as a model will be undermined by a break with Brussels.

OWEN MATTHEWS

BENEDICT XVI stood, shoeless, side by side with the Mufti of Istanbul beneath the cavernous great dome of one-time Constantinople's famed Blue Mosque, palms upraised in the traditional Muslim gesture of peace and supplication. What precisely the pope prayed for is a matter between himself and his maker -- but surely it involved healing between Christians and Muslims, an issue that has come to define his pontificate and his era.

When prayer becomes a geopolitical strategy, there's a problem. The most immediate: an imminent breakdown of relations between Turkey and the European Union. Not so long ago, it seemed that Europe would overcome prejudice and define itself as an ideology rather than a geography, a way of being in the world rather than a mere agglomeration of nation-states. But that chance is now lost. "Turkey will never be a full member of the EU," predicts British MEP Daniel Hannan. "There's a dawning realization of that reality on all sides."

This is a tragedy -- a catastrophe, potentially -- of epochal proportions. Europe's engagement with Turkey was a chance to show the world that the West is not incompatible with the East, that a democratic Muslim nation can be just as modern and European as a Christian one. As Turkey's Prime Minister Recep

Tayyip Erdogan said recently, what's at stake is nothing less than "world peace, fighting global terror and the clash of civilizations." A European Turkey could have been a model for the rest of the Muslim world, too, playing "constructively the role the Ottoman Empire once played destructively -- a bridge between the East and West," argues Egyptian political thinker Abdel Monem Said Aly.

Accepting Turkey might well have helped Europe cope with its own issues of Muslim integration and identity. And for Turkey itself the lure of EU membership was a force for social transformation. The nation has come far in recent years; but it still has far to go in jettisoning its authoritarian legacy and creating a democracy that reaches broader and more deeply among its culturally and ethnically diverse peoples.

Now come the recriminations, with fingers pointing this way and that. Indeed, a glittery cast of geopolitical notables gathered recently in Brussels for a symposium aptly titled, "Who Lost Turkey?" EU Enlargement Commissioner Olli Rehn has worked hard to avoid what he has called a "train wreck," long seen coming but difficult to stop. The proximate causes are numerous as they are petty, from bickering over Cyprus to a vote by the French Parliament criminalizing denial of Armenian "genocide" at the hands of the Turks in 1915. The rift isn't formal yet, as the EU will likely opt

for only a face-saving partial suspension of negotiations after a deadlock on Cyprus failed to be resolved. But it takes no special reading between the lines to see that a fundamental tipping point has been reached. Cyprus threatened to "veto" Turkey's entire bid. French presidential candidate Nicolas Sarkozy, kicking off his campaign, also called for the suspension of further talks. "Turkey's place is not in the EU," said he.

Officially, politicians in Ankara insist that they will plod on regardless. "There is no Plan B," says Foreign Minister Abdullah Gul. "Our goal is to continue on the same road" toward EU membership. Yet in truth, with the EU as a guiding light, Turkey now risks careering off on an entirely different geopolitical trajectory, the direction and consequences of which can only be guessed at. Indeed, attitudes are already changing. A recent poll in the newspaper Milliyet shows support for joining the EU has fallen to just one-third, down from 67 percent in 2004. If they don't want us, the prevailing sentiment goes, we don't want them. Europeans, meanwhile, are doing some devaluing of their own. Said Rehn: "Turkey's strategic importance should not be exaggerated."

Now what? Gul and others may speak of "business as usual," but European pressure has been the catalyst of a host of vital reforms in recent years that no internal Turkish political force could ever have accomplished. They range from

reducing the role of the military in politics to granting cultural rights to the country's 14 million Kurds. Without the gravitational pull of EU membership, will these changes continue? Or will the ethnic, religious and cultural wars that have long raged beneath the surface of the Turkish republic finally erupt in earnest?

The visit of the pope, a deeply controversial figure in the Islamic world, has exposed the deepest of these: tension between secular Turks and Islam. Ever since the founding of the Turkish republic on the ruins of the Ottoman Empire by General Mustafa Kemal Ataturk, Turkey's rulers have looked to the secular West rather than the more religious East. With the election of the mildly Islamist government of Recep Tayyip Erdogan and his AK Party in 2002, however, that line has been blurred.

A recent study by Bosphorus University found that more Turks are defining themselves by their religion these days than by their nationality; 45 percent said they are "Muslims first" (up from 36 percent in 1999) and 19 percent said they were "Turkish first" (down from 21 percent). Erdogan has taken pains not to push overtly Islamist policies -- for instance, he's studiously avoided repealing Turkey's draconian law banning Islamic headscarves from government offices, schools and universities. But he sent his daughters to be educated abroad, in the United States, rather than have them remove their headscarves at a Turkish university, and in 2004 tried (but failed) to introduce a controversial law prohibiting adultery.

Erdogan's engagement with the Middle East is no less worrying for Turkey's secular elite, particularly the generals who see themselves as the guardians of Ataturk's

modernizing (read: anti-religious) values. He is the first Turkish leader in years who's deliberately looked East as well as West, making reform in the wider Islamic world almost as much a priority as Turkey's EU project. A devout Muslim -- he recently passed out in his car during October's Ramadan fast because of low blood sugar -- Erdogan has campaigned for global Islam to reinvent itself. In 2004 Ankara helped to wrest control of the Organization of the Islamic Conference from conservative Islamists and backed a worldly Turk, Ekmeleddin Ihsanoglu, as secretary-general. Erdogan told an OIC session in Istanbul that women are "the most productive part of society," and that they were discriminated against in Islamic societies because of "traditions portrayed as religious rules."

That's revolutionary stuff, at least within the traditionally conservative Muslim world. But back home, Erdogan's crusading rhetoric has played into the hands of potential enemies, many of whom suspect him of being a crypto-fundamentalist and aim to use the failure of his EU bid to stop both him and his reform programs. As support for the EU wanes, so Turkish ultra-nationalism rises. According to a confidential AK Party poll earlier this year, more than 20 percent of first-time voters support the chauvinist Nationalist Action Party, or MHP. Its leader, Devlet Bahceli, complained that "the EU project is a treacherous plan designed to weaken, divide and disintegrate Turkey," and he vowed to undo "anti-Turkish" human-rights legislation (such as freedom of speech) pushed by Brussels.

A nationalist backlash could prove especially ugly at a time when the aspirations of Turkey's 14 million Kurds have been raised by half a decade of rapid (though still

incomplete) liberalization. Recent unrest flaring in Turkey's southeast saw a score of towns and villages across the region wrecked in riots that brought hundreds of thousands onto the streets. And the consequences for Cyprus would be nasty, too. Already there has been talk from the opposition of absorbing the Turkish northern part of the island into Turkey itself, which would put an end to efforts to reunite the island for generations -- and, of course, deliver a deathblow to Turkey's lingering EU aspirations.

Perhaps most dangerous of all, Turkey's generals -- the "pashas" -- are becoming more vocal after years of relative silence. This year they've blasted Brussels for promoting dangerously liberal reforms from broadcasting in Kurdish to the right to non-military national service. (Though, in truth, their real concern is undoubtedly the EU's insistence that the military stay out of politics.) "The Turkish armed forces will never turn a blind eye to the basic values of the Turkish republic for the sake of the EU," stormed naval forces commander Admiral Yener Karahanoglu in September. Meanwhile, there is evidence of an unholy alliance between ultranationalists and anti-EU elements in the Army, some of whose members have been implicated in attempted extra judicial killings of Kurdish activists.

The stage is set for a showdown between the military and Erdogan next May as the AK-dominated Parliament selects Turkey's new president. The choice is entirely Erdogan's, thanks to his control of the legislature. Some speculate he will take the post himself -- a move likely to infuriate Turkey's secularist bureaucracy, judiciary and military, who suspect him of harboring a hidden Islamist agenda and cannot forgive him his past as a leader of the radical Islamist Welfare Party,

banned in 1997. Erdogan himself was jailed four months for sedition as recently as 1999.

Perhaps things are not as bleak as they appear. The collapse of Turkey's EU bid may sharpen the country's internal ethnic, religious and political divides -- but that does not necessarily mean they will erupt into open conflict of the sort that, most recently in 1997, prompted the country's military to step in. And while the mutual disillusionment between Turkey and Europe may be deep, Turkey remains more Western, in terms of culture and economics, than it has ever been before. From this it will not retreat. "Turkey's place is in Europe; any talk of alternatives is just talk," says former ambassador Ozdem Sanberk.

And yes, Turks may be turning more religious. But those same polls from Bosphorus University also show that support for purely religion-based political parties has fallen, from 41 percent to 25 percent, over the past seven years. In other words: religion yes, but religion-based politics, no. Meanwhile, another sign of the times: while more people now favor scrapping the long-standing ban on wearing headscarves in schools and public offices, the number of Turkish women actually wearing them has dropped from 16 to 11 percent over the past seven years.

Whatever the outcome, Turkey's struggle is going to have serious repercussions. Europe's alienated and angry Muslim minorities, for instance, will hardly be encouraged to come to terms with Western culture if Europe sends a clear signal that Turks cannot be full Europeans. And in the wider Middle East, Turkey's growing role as a model will be undermined by a break with Brussels. "Middle Easterners' disillusionment with the failures of Arab nationalism and the

extremism of fundamental Islam is making them reassess the Turkish route," says Hugh Pope, a writer on regional affairs. "More and more opinion leaders see hope in what appears to be Turkey's successful synthesis of Islam and modernity." Will that leadership evaporate if Turkey fails to join the European club?

Many strategists in Washington -- and not just neoconservatives -- fear that an EU-Turkey split will resonate through the Muslim world as a major geopolitical defeat for Western values. "Turkey is to the West what Germany was in the cold war, a front line state," former US ambassador to the UN Richard Holbrooke told EU Commissioner Rehn at the "Who Lost Turkey?" symposium. Turkey's progress "is keenly watched" by its neighbors, acknowledges Foreign Minister Gul. "We have been a rare beacon of stability in an inherently turbulent region."

Will that beacon flicker and die without the EU? "The government can't turn its back to the EU," says one Erdogan foreign-policy adviser, who is not authorized to speak on the record. "And the EU cannot turn its back on Turkey." The two sides have too much in common to split completely. Rather, there's the makings, long term, of an entente. Europeans already talk of a special partnership, short of membership. Turkey has said it will never settle for that, but we'd best hope for some accommodation. Everyone is poorer for the failure of vision that has scuppered one of the great civilizational projects of our times.

With Sami Kohen in Istanbul.

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Fighting corruption in South Asia

If a right to information law is introduced, then it can act as an important tool in fighting corruption -- it can effectively transform the strong and traditional culture of secrecy within government into one of transparency and openness. In South Asia, politicians and government officials have for too long taken advantage of this culture of secrecy -- how many times have we read or heard about the numerous ways in which officials have lined their own pockets with public funds? The adoption of a right to information law can shed light on the behaviour of government officials by empowering citizens with a tool to help scrutinise and monitor government decision-making and bring public officials and politicians to account.

RESHMI MITRA

LAST year, the United Nations Convention against Corruption became the first legally binding, global anti-corruption agreement, marking a historic milestone in the fight against corruption. One year on, with 9 December being celebrated as International Anti-corruption Day, an impressive five of seven countries in the South Asia region, have committed to tackling corruption by signing the Convention. These include Bhutan, India, Nepal, Pakistan and

Sri Lanka with Bangladesh and the Maldives being the two countries yet to sign up to the Convention.

Despite this impressive commitment to the Covenant, corruption remains an endemic problem that continues to blight governance and economic and political development in South Asia. This has been reflected yet again in Transparency International's latest Corruption Perceptions Index. Of the South Asian countries surveyed, Sri Lanka was viewed as the least corrupt, being ranked at number 78, while Bangladesh performed especially

badly, coming in at 158 out of a potential 163. India ranked at 88 with Nepal at 117 and Pakistan at 144 respectively, indicating a consistently high level of corruption across the region.

The UN Convention against Corruption provides a single, overarching means for all countries in the region to fight and eventually remove the scourge of corruption. More specifically, chapter two of the Convention provides different measures that a country should implement in order to remove the fog of secrecy that often clouds

government operations and decision-making processes.

One means by which South Asian countries can go a long way towards implementing the measures set out in chapter two of the Convention is by adopting and implementing an effective right to information law. The right to information, or freedom of information as it is more commonly known, has long been recognised as a human right, ever since the UN General Assembly declared in 1946 that "freedom of information is a fundamental human right and a touchstone of all freedoms to which the United Nations is consecrated."

An effective right to information law puts an obligation on the government to regularly disclose as much information as possible about its policies and decisions to the public, and provide information to individuals when they request it. Disclosing information should be subject to an overriding principle that all information should be disclosed, unless the harm caused by disclosure is greater than the public interest in accessing the information. The information should be

easily accessible in a quick and simple way and the government should be required to conduct ongoing training for government officials and educate the public on the right to information.

If a right to information law is introduced, then it can act as an important tool in fighting corruption -- it can effectively transform the strong and traditional culture of secrecy within government into one of transparency and openness. In South Asia, politicians and government officials have for too long taken advantage of this culture of secrecy -- how many times have we read or heard about the numerous ways in which officials have lined their own pockets with public funds? The adoption of a right to information law can shed light on the behaviour of government officials by empowering citizens with a tool to help scrutinise and monitor government decision-making and bring public officials and politicians to account.

Empowering citizens in this manner can also help strengthen democracy by making government

directly accountable to its citizens on a day-to-day basis rather than just at election time. Even at election time, a right to information law ensures that voters have better access to information concerning the government's record in office, allowing them to make a more informed decision at the ballot box, instead of relying on often dubious political propaganda.

An effective right to information law also helps to ensure that governments formulate and implement development projects in a responsible, transparent and participatory manner. Development projects often significantly suffer as a result of funds being siphoned off, resulting in severe delay, and sometimes even a failure to complete projects. With a right to information law in place, governments would be obliged to share information on such projects with the public who can then monitor their development. In fact, the right to information would give the public a voice in determining what local projects should take place in the first place and how these can be designed to more

effectively improve their lives.

Given all of the benefits of the right to information, more countries in the region now need to recognise its impact and effectively implement a RTI law as soon as possible. Indeed, there have been positive signs that South Asian countries are beginning to understand the benefits of adopting a right to information law. Last year, India passed and started to implement the region's first RTI law, and the impact has almost been immediate, with an increasing number of citizens making information requests that have exposed a number of corrupt practices and even embarrassed the government into addressing such practices.

For example, the act has been used to expose massive fraud in the government's Rural Employment Guarantee Scheme, designed to guarantee employment for rural-based families living below the poverty line, and has also been used to reveal discrepancies in the tendering process for the privatisation of Delhi's water authority. People have also used RTI as a

tool to curb petty bribery in, for example, making applications for passports and ration cards and even in receiving pension payments. The adoption of RTI in India has now had the positive effect of encouraging civil society organisations in Nepal, Maldives, Sri Lanka, Pakistan and Bangladesh to draft their own RTI bills and raise public and government awareness about the benefits of RTI, especially in terms of cracking down on corruption.

Overall, if governments in South Asia are serious about cracking down on corruption, cleaning up their governments and securing the long term democratic development and economic prosperity for their citizens, then there is no better time than now to sign up to and implement their commitments under the UN Convention against Corruption and prioritise the drafting and implementation of an effective right to information law.

Reshmi Mitra writes from the Commonwealth Human Rights Initiative, Delhi.