

The serio-comic at Election Commission



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STRAIGHT LINE

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THE cynics cannot be faulted for saying that the biggest "Tamasha" is being staged at the Election Commission upon which rests the supremely onerous duty of conducting a free, fair and impartial election.

In the recent past the nation had to bear with a comically stubborn chief election commissioner who, before he left office to enjoy an enforced leave, caused large scale protests and demonstrations resulting in loss of life and property.

His was a beleaguered existence, flanked by not-so-stern looking sentinels, often enlivened by the on-again off-again encounter with the gentlemen and women of the fourth estate.

his total commitment to the job. The tragedy was that an unenlightened audience could not take any cognizance of that. The CEC, on leave, will, hopefully, have plenty of time to pontificate once he returns to his exalted chair upon expiration of the enforced leave.

The Election Commission, in the recent past, was abuzz with activity for quite sometime, though not always of the desirable manner. Journalists of both the print and the electronic media were regular visitors to the commission office and, interestingly enough, the very wise and erudite gentlemen firmly entrenched in their constitutionally exalted positions were enjoying the company of the media men and women, particularly those of the electronic variety.

Very lively interviews were given by the learned commissioners holding diametrically opposite views on issues of national importance like the preparation of fresh voters list, or the updating of the same. The dispute or divergence of opinions, relating to the modality of preparing the voters list reached the precincts of the apex court, and directions were given to the commission. However, the directives caused further controversy, as one of the learned commissioners, now the acting CEC, according to newspaper reports, questioned the propriety of the jurisdiction of the court in the matter of preparation of the voters list.

The temporarily indisposed chief

election commissioner came back to his onerous charge, and the Election Commission preferred an appeal against the order of the High Court Division on the subject of preparation of voters list. All in all, there was a near "Hitchcockian" dimension to the unfolding voter's list drama.

The Election Commission, as of now, without doubt appears to be a confused house. This is unfortunate at a time when the worries of the concerned citizens of Bangladesh are about the peaceful and fair holding of next general election. Their fears assume heightened significance, as major opposition political parties have demanded basic reforms of the Election Commission and the caretaker government.

There is no denying that on major issues the principal political parties are virtually at loggerheads. In such an environment a constitutional body like the Election Commission is expected to be circumspect and discreet enough to draw the respect and admiration of the citizens so that the lurking doubts about the impartial holding of the next general election are dispelled. The prevailing scenario, however, does not generate much optimism because we are already in an imbroglio over the modality of preparing/updating the voters list. The resolution of this dispute through the apex court may bring some relief, but the complaints and controversies that have arisen already in this connection are not amenable to an easy solution.

Complaints like the registration

of 64 lakh false voters during the Awami League tenure, as alleged by a BNP stalwart, or Awami League's suspicion that its sympathizers, including a large portion of the minorities, have not been registered at all during the process of making new voters list definitely deserve uppermost consideration. Such complaints are accorded prominence because there are additional allegations that the new voters list has been prepared with the active support and connivance of ruling party workers, and its student and youth fronts. These complaints are surfacing in the wake of newspaper reports that more than 150 known BNP supporters have been appointed in the Election Commission, and that they have taken extra interest in the preparation of the new voters list.

The disappointing part of the election-related process is that we are not cognizant of the actual bottlenecks in the way of fair election, and that there is inaction in undertaking those administrative steps that will facilitate the fair and smooth conduction of election. For example, if recent experience is any guide, one may say with some certitude that the malpractice of false or bogus voting will assume worrying proportions in the next election which will be contested by two desperate political parties.

It would be relevant to recount that we do not have, as yet, a central registration of the population, and the consequent provision of identity card for each voter. This is the ground reality, although we all know

that impersonation and related malpractices seriously mar the credibility of our elections. In India there is provision of ID card for each voter, and the electronic voting system is nearly complete, but we are still sitting over the voter ID project. The members of the public have a right to know the details in this respect because the constitutional body charged with the onerous duty of holding a credible election cannot perform its function satisfactorily without adequate administrative preparation. One would like to hear from the wise men at the Election Commission.

The appointment of 150 election officers, mostly allegedly partisan student and youth leaders belonging to the immediate past ruling party, is another problematic dimension that might lead to serious altercation resulting in violence. The fact that the Public Service Commission has appointed those persons will not mitigate the problem, because ground reality and popular perception about the impartiality of public appointments do not appear to be reassuring. Against this background, the cancellation of such appointments as demanded by some parties will worsen the prospect of fair and peaceful election. Concerned citizens would like to be apprised of the Election Commission's policies and strategies on such a thorny issue.

In a democratic state, the electoral process exercises determining power over those who hold political office. It is the electorate which confers the power to govern, and



calls the government to account. If the electorate is to enjoy true equality in constitutional participation it is of fundamental constitutional importance that the electoral system ensures four principles:

- (a) That there be full franchise, subject to limited restrictions; (b) That the value of each vote cast is equal to that of every other votes; (c) That the conduct of election campaigns be regulated to ensure legality and fairness; (d) That the voting system be such as to produce both, a legislative body representative of the electorate and a government with sufficient democratic support to be able to govern effectively.

It is against the above four principal objectives that the law must be evaluated. However, it must be recognized that these elements are in large measure inseparable from each other. Each aspect of the electoral process combines with another to form a system.

Following the enforced leave of

Justice Aziz under tumultuous circumstances the government has appointed two new election commissioners after, reportedly, much examination and scrutiny. The unsettling events that followed such appointments testify to the hollowness of the authority's sincerity about the proper holding of a national election. It is no secret that there is a distinct drill to be undergone before the government makes an appointment to a Constitutional post. Such an exercise invariably involves the vetting of the particulars of the prospective candidate by designated state agencies, in addition to recommended discussions with the concerned professionals and nationally acclaimed civil society leaders. That the same was not done, and that the concerned appointments were made in a slipshod manner, has been made abundantly clear, to the utter frustration of an expectant polity.

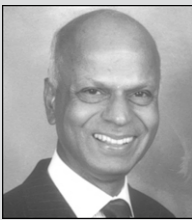
The palpable documentary evidence about the sheer unsuitability of a particular person with regard to appointment to a constitu-

tional post highlights the tragic indifference of our guardians. So, if we are taken for a ride by an insensitive establishment, the day may not be far off when people might start showing their thumb to the occupiers of high offices. Understandably, that would not be a preferred sight.

The imbroglio at the Election Commission, at present, is indeed amusing. The captain has proceeded on leave because he is neither acceptable nor credible and, therefore, cannot be relied upon to oversee the principal job of holding the national election, but may be allowed to return to his chair to do other acts. A just appointed election commissioner has been asked to proceed on leave and he has, reportedly, agreed. Another veteran commissioner is reportedly willing to proceed on leave but cannot do so because of unexplained reasons. Nobody knows for sure how far we should venture to insult public sensitivity and waste public money.

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Nato and Afghanistan



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LETTER FROM EUROPE

According to the Defence Planning document issued by Nato at the end of the summit, Nato will have to fight global terrorism, meaning the so-called Islamic terrorism. But the question is: Can Islamic terrorism be defeated militarily without addressing the root causes like the presence of Western combat troops in and around Muslim countries, and economic exploitation?

go and what equipment they may share." Mr. Bush did not get his own way. Germany, France, Italy and Spain refused to send their troops south to fight the Taliban forces. The member countries only agreed to be more flexible in emergencies, as far as troop deployment is concerned.

Bush's demands also provoked a fierce debate, not only among countries that belong to Nato but also among many other members of the United Nations, over the exact role of Nato. What is the purpose of

Nato's mission in Afghanistan? If it is a North Atlantic military alliance, what are its combat troops doing in a faraway Muslim country like Afghanistan? Is it part of a stabilisation mission to help the Afghan government to develop its economy and civil institutions like the police and the judiciary, or is it participating in a civil war as an instrument of American foreign policy?

At the end of the Second World War Western Europe was utterly exhausted. Its economy lay in ruins. Militarily, the situation was not very

much better. Wartime armies had been reduced in size, and there was not enough money to replace the military equipment. To make things worse, there was no consensus on joint defence planning. But the whole of Eastern Europe was under the control of the Soviet army. Relations between the Soviet Union and Western Europe were getting worse day by day. There was a genuine fear among the Europeans about the real intentions of the vast Soviet armies stationed in Eastern Europe.

Therefore, in March 1948, Britain, France and the Low countries signed a collective defence treaty, which came to be known as the Brussels Treaty. Very soon the members of the Brussels Treaty realised that militarily they were so weak that without the active participation of the United States they would never be able to withstand a Soviet invasion. In 1949, the Brussels Treaty was expanded to include the United States and Canada. Thus, the North Atlantic Treaty Organization was born.

Article 6 defines the geographic scope of the treaty by clearly stating that the treaty covers "an armed attack on the territory of any of the Parties in Europe and North America."

Today, there is no military threat from the Soviet Union and the Warsaw Pact. Both of them have disappeared. Yet, Nato not only exists but has even grown in size. Currently, Nato has got 26 members, some of whom are former members of the Warsaw Pact. Some neo-cons want Australia, New Zealand, Israel, Japan and even Georgia to become members of Nato. By no stretch of imagination can these countries be considered as part of the North Atlantic geographic area. So what is a trans-Atlantic military alliance supposed to do in this post-Cold War era?

According to the Defence Planning document issued by Nato at the end of the summit, Nato will

have to fight global terrorism, meaning the so-called Islamic terrorism. But the question is: Can Islamic terrorism be defeated militarily without addressing the root causes like the presence of Western combat troops in and around Muslim countries, and economic exploitation?

To many Muslims Nato represents American imperialism. Coming after centuries of European colonial rule over most of the Muslim world American imperialism is perceived as a continuation of the West's long onslaught against Islam. This imperial policy has created a pervasive sense of injustice, humiliation and outrage among the Muslims. This sense of humiliation has been further aggravated by unconditional American military and economic support for Israel and the wars in Afghanistan and Iraq. The Afghan nation, like any other nation, does not like the presence of foreign

armies on its soil. The Afghans, like the Vietnamese, do not believe in America's propaganda on democracy, or the new "domino theory."

The reality of the Afghan situation is that there is no such thing as a democratic government. Although, nominally, Hamid Karzai is the president the country is being effectively run by General Richards, the commander of the Nato forces. These combat troops are considered by many Afghans and Muslims to be occupation forces who are being used as instruments of America's aggressive foreign policy in the Muslim world. If Nato wants to be present in Afghanistan it should withdraw its combat troops and participate in UN sponsored development projects to help build self-sustaining economies and civil institutions. This, in the long run, will prove to be a more effective way of fighting terrorism than waging colonial wars.

Capitalism: One size does not suit all

In the American system the owners are dispersed and relatively weak, managers powerful and often overpaid, and employees not well-organized. This is not the case in much of Europe or Japan. This gives rise to a different sustainable pattern of corporate governance, even though there is more recognition now of the mounting costs of social protection, the need for more labor flexibility and protection of minority shareholders against insider abuse.

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A little over a decade ago the American model of capitalism was triumphant: The Soviet Union had recently collapsed, recession took the shine off the vaunted Japanese model of the 1980's, the social-democratic models of northern and western Europe languished in high unemployment and low growth, and the so-called East Asian miracle was soon to be engulfed in the Asian financial crisis. For the many developing and transition economies in search of a model, there was only one prescription: Liberalize and privatize, and copy the Anglo-American institutions of legal, financial and corporate governance.

Today there is less certainty on the matter. First the technology and then the housing booms in the US subsided; many years of high American living on borrowed Asian money are now widely considered unsustainable; extreme income concentration at the very top with

stagnation at the bottom has made the hollowness of the productivity growth particularly palpable for most working people; unemployment in the US and the UK has been in general lower than in much of Europe, but their jails are full with a larger proportion of citizens incarcerated; and the crisis in health insurance and social security looms large. The earlier triumphal mood has now disappeared.

Meanwhile the social-democratic and Japanese models, after some necessary repairs and ongoing liberalizing reforms, have come alive, with their economies revived, while still keeping a large part of their distinctive institutional features. (These features will undergo some tinkering, but no substantial change, after the outcome of the recent Swedish elections.)

Two of these features relate to the continuing emphasis on social protection and on a more coordinated style of corporate governance -- in relations both across firms and

between managers and workers. There is an increased appreciation of the fact that countries have different political contexts and the bargaining powers of the different stakeholders in the economic system -- owners, managers and workers -- vary. "One -- Anglo-American -- size fits all" is no longer the prevailing perception.

In the American system the owners are dispersed and relatively weak, managers powerful and often overpaid, and employees not well-organized. This is not the case in much of Europe or Japan. This gives rise to a different sustainable pattern of corporate governance, even though there is more recognition now of the mounting costs of social protection, the need for more labor flexibility and protection of minority shareholders against insider abuse. Commentators have also pointed out that while the more open and competitive system in the US encourages radical innovations in technology, the more coordinated system in Europe and Japan is more

conducive to incremental innovations, where workers on the shop floor often contribute more to day-to-day technological improvements. Besides, the wage compression resulting from the more solidaristic wage-bargaining process, as in Nordic countries, helps the more productive firms at the frontier of technology at the expense of the less productive firms.

For the developing countries, the East Asian model has not yet lost its influence. This model is characterized by initial relative equality, following upon land reforms and mass expansion of education, which helps in smoothing the wrenching conflicts and readjustments of early industrialization. In addition, state-guided coordination of private enterprise and use of export performance to discipline firms strengthen, rather than stifle, the market processes.

The phenomenal growth of capitalism in China, with market reforms under pervasive government control -- while starting from a

position of relative income equality after the egalitarian land redistribution of 1978, providing a minimum safety net for most rural households -- has only added to the attraction of the basic East Asian model. One-party rule Vietnam, opening its door to capitalist enterprises and growing at 8 percent a year, offers a variation on the theme. India, another high-growth country in recent years, has also not quite followed the economic orthodoxy in a systematic manner, particularly in matters of privatization, deregulation or fiscal deficit management.

In the 2006 Economic Freedom ranking of the Heritage Foundation, China and India rank far below most Latin American and many African countries. In these latter countries, which did follow the liberalizing and privatizing reforms of the Anglo-American model more faithfully during the last two decades, results in terms of economic performance have been, with a few exceptions, disappointing. Even the Bretton Woods institutions are now less confident in pushing their orthodox and austere "conditionalities" of loans in the cause of midwifing capitalism in the tropics -- much like the declining confidence in foreign-policy circles for pushing democracy at gunpoint in the Muslim world

and social harmony. The greater tolerance of inequality in American society reported in some surveys is not shared by other societies. In these other societies the myth of high inter-generational mobility is less well-entrenched. We need to explore the many ways in which equity can be enhanced without giving up on efficiency. These include expansion of facilities of education, training and health care. In many poor countries the barriers faced by large numbers of people in credit markets, where they lack adequate assets that can be used as collateral, and land markets, where the landed oligarchy often hogs the endowments of land and water, sharply reduce the society's potential for productive investment, innovation and human-resource development. In societies with an extreme lack of equity, it is also more difficult to build consensus and organize collective action toward long-term reform and cooperative problem-solving efforts. Those who are preoccupied with these issues of social justice sometimes turn to various forms of anti-capitalism, as is evident in the environmental and anti-globalization movements. But protest is not enough, it is necessary

for these groups to explore viable, incentive-compatible and thus sustainable ways of constructing alternatives to capitalism. They have so far come up with few new constructive ideas, and history has not been kind to their old ideas.

On the other side, it is important to stress that single-minded pursuits of efficiency are bound to be counterproductive. In particular, a standardized policy prescription that ignores social and institutional diversities or the context-dependent complexities of a particular society is a recipe for failure. The accumulated resentment of the large numbers of losers worldwide in the process of globalization -- despite its theoretical potential of benefiting everyone -- is already in danger of triggering a substantial backlash in many countries. The advocates of capitalism should try to protect it from the enthusiasts for any one particular variety of capitalism.

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