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Lessons from the US elections

Can the wounds of chaos be healed?

AT the time of writing this, the outcome of the nail-baiting US presidential elections is still hanging in the balance as the last votes are being counted. The deciding factor seems to be centred on a handful of battleground states where Donald Trump had an initial advantage over Joe Biden but where things seem to be changing as the largely Democrat mail in ballots are being tabulated. Whoever ultimately gets the golden 270 electoral votes to win the presidency is still to be determined although so far the chips are tilting more towards Joe Biden. Regardless of who wins, what messages have the 2020 US elections given to the world? We are impressed at the successful (till now) electoral process that has allowed an unprecedented turnout of voters to make their voices known through the ballot. It is more impressive considering that this has happened in the middle of a raging Covid-19 pandemic that has taken over 240,000 lives in the US. It reveals that this election is more crucial for the American people on both sides of the fence than ever before.

Apart from the inspiring dedication of the men and women painstakingly tabulating each ballot making sure it has been cast correctly, for the world watching, this most contentious election in US history has seen some unsavoury truths about America. The biggest shock for the world is the immense support for President Trump, who has gone out of his way to promote divisiveness, racial tension, white supremacy, discrimination, violence, denigration of the media, women and minorities, and denial of climate change, which is now being followed by an attempt to cast aspersions on the integrity of the electoral process whenever it goes against his interests. The fact that around 69 million people have voted for him shows that a huge number of Americans either endorse or overlook the abhorrent sentiments that President Trump has been fomenting. It shows that they find it acceptable that 240,000 of their fellow citizens have died under his watch because of his failure to listen to the scientists, doctors and even his own coronavirus taskforce regarding health guidelines that if implemented, could have saved thousands of lives.

The US elections have highlighted how divided American society is, how fragile it is against leadership that is based on creating chaos rather than harmony, increasing inequality and using misinformation and propaganda to control people. But even before the elections, the world had been awakened to the reality of racial inequality as well as its challenges to the basic democratic values that the US has always projected to the rest of the world. It has also shown how it is possible to challenge scientific evidence and delegitimise it through propaganda. It has shown that even something as straightforward as following basic health guidelines like wearing a mask can be made political. The most frightening revelation of the US election and the months preceding it is how easy it is to dismantle all the progress a nation has made over decades. If the next president is Joe Biden, he will have the Herculean task of uniting a bitterly divided country while combatting an ongoing pandemic and dealing with the devastating economic fallout. If it is a reelection of President Trump, it will be difficult to heal the deep wounds he has inflicted on his country, especially when he has no intention of doing so.

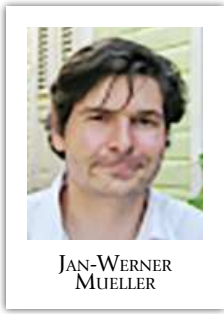
Private firm to help ease BRTA's burden in Mirpur VIC

Unfit vehicles should be removed from every road in the country

THE government has decided to hire a private company to check motor vehicles' fitness with machines, which we think is a prudent move, given the fact that the Bangladesh Road Transport Authority (BRTA) has not been able to cope with the demands of checking thousands of vehicles for fitness. In the last fiscal year, only 109 motor vehicle inspectors, with the help of 86 mechanical assistants, checked the fitness of 7.5 lakh vehicles—an unrelenting task indeed. Now, Computer Network System (CNS) Limited will set up a 12-lane Vehicle Inspection Centre (VIC) at BRTA's Mirpur office to test more than 400 vehicles every day. Thus far, inadequate manpower and technology has hampered the services of BRTA significantly. Given that BRTA has not been able to fill the gaps in its human resources and technology, outsourcing some of the work is possibly the next best thing. According to the current proposal, placed by the Road Transport and Highways Division and recently approved by the Cabinet Committee on Public Purchase, CNS—which is already providing several services to the BRTA—will establish, operate and maintain BRTA's Mirpur VIC for five years at a cost of Tk 105.23 crore. While BRTA officials have assured that CNS was selected for the job following competitive bidding, we feel compelled to remind the authorities that a project with an investment of over Tk 100 crore must not be allowed to go to waste as a result of inefficiency, as so many of such well-meaning projects are wont to do. There must be complete transparency in the operations over the next five years, as well as properly established and implemented systems of accountability. The government must also remain vigilant so that the private firm abstains from creating a monopoly, overcharging or any other unethical practices.

We have repeatedly asked the government to extend the capacity of the BRTA over the years, mainly to ensure road safety and bring down the significant number of deaths in Bangladesh that result from unfit vehicles plying the roads. While making the process of checking the fitness of vehicles more efficient is a positive step forward, we also urge the authorities to comply with the High Court order to set up more fitness testing centres across the country by November 23. We must keep in mind that while the Mirpur VIC checks the highest volumes of vehicles, it is still only one centre out of a maximum of 70 across the country where all of the work is being done manually, leaving room for manipulation and irregularities that could continue to compromise safety.

PROJECT SYNDICATE Truth and De-Trumpification



AMONG Democrats and many Republicans, there is a great temptation to dismiss US President Donald Trump's administration as a bizarre aberration. Just as Republicans

may try to blame the many transgressions of the past four years on Trump, hoping that their enabling role is quickly forgotten, Democrats might want to make a show of observing democratic norms, by graciously refraining from litigating the past. If so, should Joe Biden prevail when all votes in the November 3 election are counted, Trump and his administration are unlikely to be held accountable for their egregious record of corruption, cruelty and violations of basic constitutional principles.

Quite apart from political calculations, many observers—from former Democratic presidential contender Andrew Yang to distinguished jurists and historians—have argued that only tin-pot dictatorships pursue their vanquished opponents. With all-too-obvious motives of his own, US Attorney General Bill Barr has also opined that “the political winners ritually prosecuting the political losers is not the stuff of a mature democracy.” Yet these generalisations are too hasty. Trump's “lock her up” slogan, directed against Hillary Clinton in 2016, should not be answered with “lock *him* up”; but “forgive and forget” is not the only alternative.

Americans need to distinguish among three issues: crimes Trump may have committed before assuming office; corruption and cruelty committed by him and his cronies while in office; and behaviour that has exposed structural weaknesses within the broader US political system. Each requires a somewhat different response.

Historically, plenty of other countries' transitions from authoritarianism—or recovery from democratic degradation—have been characterised by a willingness to leave former power-holders unpunished. As the political scientist Erica Frantz observes, 59 percent of authoritarian leaders who have been removed from power have simply gone “on to live their normal lives.” Nonetheless, in cases where new or restored democracies did not prosecute former officials, they often established truth commissions, offering amnesty in exchange for truthful information and confessions by the perpetrators of crimes. This approach was most famously pursued by post-apartheid South Africa.

The peculiarity of the current US situation is that Trump is already under investigation for possible crimes unrelated

to his presidency. Both the Manhattan district attorney and the New York attorney general are investigating the Trump Organization for various forms of fraud. While ostensibly apolitical, Trump's business practices foreshadowed—and overshadowed—the shameless cronyism and corruption of his presidency. Even if he did not succeed in fully transforming the United States into a mafia state along the lines of Viktor Orban's Hungary, that is largely beside the point.

wanted to silence the *Cavaliere*. But the point of enforcing the law was to send a clear signal that Berlusconi's strategy of entering politics in order to gain immunity and distract from his shady business dealings would not become a precedent.

Then there is the question of Trump's actual record in office. One can find plenty of deeply objectionable policies, but it would be a mistake to abandon what President Thomas Jefferson, upon

argued, a prudent response would be to establish a separate commission to study the structural vulnerabilities of the presidency. Such an investigation may find that many informal norms—from financial transparency to relations with the Department of Justice—need to be codified. There would be nothing vengeful about this particular approach. After Watergate, Congress enacted a series of important ethics laws, which both parties tended to accept.



PHOTO: AFP

Moreover, if the investigations into the Trump Organization were simply to be dropped upon his departure from office, the charge that they were mere political machinations would appear to be justified, especially considering that the law-enforcement officials in question happen to be Democrats. On the other hand, if the investigations were to result in the incarceration of a former president, Trump's gun-toting supporters might decide to take the law into their own hands; at a minimum, the country's political divisions would deepen even further.

Bearing these risks in mind, there is no reason, in principle, why a political leader cannot be properly punished for a crime he has committed. Many leaders have been, and some have even returned to political life. Former Italian Prime Minister Silvio Berlusconi was forced to perform community service following his conviction on charges of tax fraud (his age brought a more lenient sentence). Today, he is sitting in the European Parliament, which makes it hard for anyone to claim that liberal judges simply

succeeding his archrival John Adams in 1801, called “the safety with which error of opinion may be tolerated, where reason is left free to combat it.”

The same cannot be said for the corruption and systematic cruelty that the Trump administration has exhibited in its response to the Covid-19 crisis, and in separating children from their parents at the border. As the Harvard law professor Mark Tushnet has suggested, a commission of inquiry should be established to investigate policies and acts that went beyond incompetence into the realm of politically motivated malevolence. It is critical that we establish a proper record of these events, perhaps by offering leniency in exchange for candid accounts. The latter should help thinking about structural reforms, making at least quid pro quo corruption and blatant human rights abuses less likely.

Finally, Trump has broken plenty of informal presidential norms, from the relatively trivial—calling people names on Twitter—to the serious: hiding his tax returns. As many US jurists have

This three-pronged approach need not distract from more urgent tasks of governance. Although it might require spending some political capital, the costs of inaction or breezily “moving on” could be even higher, as was arguably the case following Gerald Ford's pardon of Richard Nixon (who never really did admit any guilt), and the leniency shown after the Iran-Contra scandal and the George W Bush administration's extensive use of torture in pursuing its “global war on terror.”

To be sure, plenty of Republicans might fight truth-seeking efforts tooth and nail. But others could use a public inquiry focused on improving US institutions to distance themselves from Trump. After all, they have already shown themselves to be nothing if not opportunistic.

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How many more Nodis before we start taking false identification papers seriously?

MEHNAZ RABBANI

LAST year, 13-year-old Nodi was sent to Saudi Arabia as a migrant worker with a passport that falsely stated her age to be 27. On October 31, 2020, she came home to Bangladesh in a coffin. Her mother alleged that there were marks of torture on her body, and that her employer had started beating her from the first day of work, but she received no support from the recruiting agency that sent her there.

Nodi's distressing story once again shone a spotlight on the dangers being faced by female migrant workers from Bangladesh. This is not the first time we have heard of a case like this. On the first day of this month, *The Daily Star* reported that 473 Bangladeshi women have returned dead from the Middle East in the last five years. Thanks to many reports and documentaries on this issue, we are now well aware of the horrors that women face as modern day slaves in Middle Eastern households.

While the host countries must do better to protect our migrant workers employed within their borders, we must also recognise how we as a nation are failing to protect girls like Nodi. Poor families are forced to make these risky choices for their daughters, crooked middlemen cheat them, agents refuse to take responsibility for their clients after migration, and the existing regulatory system is clearly not enforced. However, there is a particular governance loophole that we often overlook, which had also contributed to our failures.

We have all seen the picture of Nodi on our newsfeed. She was obviously a child. How then, was she sent abroad for work? Why did nobody notice or flag the fact that Nodi's age was grossly misrepresented during the standard verification process of issuing a passport, and during the entire process of issuing paperwork and completing all migration formalities? Immigration officers in Bangladesh and Saudi Arabia also did not pay attention to the obvious anomaly between her appearance and her age as written on the passport. Nodi's



13-year-old Nodi died in Saudi Arabia in August, after she was sent there last year as a migrant worker on a fake passport.

agents completed several formal steps and procedures of migration using her falsified age and trafficked her through the legal channels, making it hard to believe that this was a random mistake.

In Bangladesh, changing our official age is common practice. This is so common that “what is your official age” and “what is your real age” are distinctly different questions to us. As researchers, we always ask both questions in our field surveys, knowing that the answers to the two questions are likely to be different. Nowadays, the real age, NID age, passport age and birth certificate age may all be different, depending on what purpose each document was issued for. We accept *boyosh komano* (reducing age) as a harmless violation of the law because its purpose often appears to be benign, for example, extending the time for applying to government jobs.

But this apparently harmless practice clearly has many consequences, some of which can be outright dangerous for vulnerable people like Nodi. When the official age of a girl is increased to show

that she is legally old enough to get married or work abroad, overlooking this discrepancy in age can increase child marriage and trafficking.

Ideally, a birth registration document should be issued when an individual is born, but for various reasons, this is uncommon in Bangladesh. People usually obtain identification documents when they need one. In a nationally representative rural survey in 2019 done by the BRAC Institute of Governance and Development (BIGD), respondents were asked why they applied for birth registration documents. The answers ranged from “for getting married”, “registering for board examinations”, “for availing social safety net allowance” to “applying for NID and/or passport”. Obviously, the age we put on a formal document depends on the purpose of getting that document. It was found that only 19 percent of the 9,942 individuals with NIDs had their correct date of birth on the card. For 36 percent, the NID age was lower than actual reported age. For

the remaining 45 percent, their NID age was higher than their reported actual age. So our traditional notion of *boyosh komano* seems to be less popular now. Rather there is a tendency for increasing the reported age, as in the case of Nodi.

In the BIGD data, there were over 3,000 individuals between the age of 14 and 18 years, but only 29 of them had NIDs to show. Of these 29 young people, most were female and all of them had increased their age on their NIDs. The survey showed 1,251 respondents with birth registration documents—half of whom had misreported their date of birth. Twenty three percent under-reported their age on their birth certificate and a little over a quarter over-reported.

When asked for the reasons behind applying for birth registration, everyone who responded with “for getting married” were female. Recently, we saw in the news that a 14-year-old died from marital rape and abuse 34 days after getting married to an older man. It is not hard to imagine what made it possible for her to be legally married at 14. We fear that in a country with a high rate of child marriage and high levels of vulnerability of female migrants, the ease with which age is falsely reported in official documents is putting our girls in greater danger.

We have laws that protect our children from trafficking, early marriage, child labour and other forms of abuse. In reality, this protection is absent for many reasons; and the ability to falsify official age, making identification documents like birth certificates and NIDs increasingly irrelevant, is emerging as an important enabling condition of such abuse. A unified and properly verified system of identification has become urgent to protect young girls from exploitation at home and abroad. It is also high time that we make this practice of changing your age socially unacceptable so that we can give children like Nodi a better chance to live.

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