

## Voter list

CEC's dubious game continues

THE inexplicable delay on the part of the Election Commission in preparing a fresh voter list (based on the existing one), after the Supreme Court upheld the High court verdict on the voter list issue on May 23, has raised a number of questions.

The Chief Election Commissioner (CEC) is trying to defend himself by saying that the Commission hasn't yet received a copy of the Supreme Court's judgment. That's an excuse that legal experts have found lame and devoid of the moral urge to act on a national issue of grave importance. The point is that the EC knows well that its appeal had been rejected and also that the Supreme Court made only minor changes to the verdict delivered by the High Court. So the EC's job is not unknown, nor is there any reason for it not to realise that time is a crucial factor here. Any procrastination in preparing the voter list, as per the court directives, will only deepen the present crisis.

The CEC sounds a bit too loyal to the law when he fails to set about the important task of preparing the voter list on the pretext of not receiving a copy of the SC verdict, despite knowing its contents. But he could not demonstrate the same kind of respect for the law when he had proceeded to prepare the dubious list in violation of court orders. It was his personal agenda which created a great controversy. But what's not at all clear is why the CEC is now wasting time and pushing the country towards some sort of impasse. We are forced to conclude that his dilatory tactic is ill-motivated. This kind of foot dragging by the CEC on this issue will only make the country's murky political scene even murkier.

The EC, supposed to be a sacrosanct institution, has become the target of adverse criticism, thanks to the voter list scandal. It is a matter of both concern and regret that its credibility is now at the lowest ebb. The CEC has to realise that his prime duty is to accelerate the pace of the whole electoral process, and not slow it down on this or that excuse. A flawless voter list is as much a legal requirement as it is a political one for the sake of democracy. So, there is no alternative to preparing it before the elections according to the Supreme Court directives.

The plain truth must not appear too complex to the CEC.

## Dialogue with the primary school teachers

We do not want to see them on the road

THE sight of primary school teachers going on a hunger strike and lying down on the road to press for their demands becomes a painful one since the nation holds teachers in high esteem. Questions maybe raised as to whether their demands are within the bounds of the education policy of the country and whether they are on the right track in expressing their voice, but one thing we are sure of and that is any rightful demand can be settled by sitting across the table. And when it comes to teachers, we feel one should handle the situation with a bit of extra care and compassion.

The agitating teachers of the non-government primary schools have begun a 48-hour hunger strike in the capital demanding nationalisation of their jobs, which according to them the government is pledge-bound as per its election commitment.

Whether the government would be able to keep the pledge and meet their demands remains to be seen but what is of utmost concern to the citizens at the moment is whether the standard of education at the primary level will improve if and when their demands are fulfilled. Notwithstanding the poor salary of primary school teachers, the fact remains that most of these schools, in both government and non-government sectors, are beset with numerous ills. Among them, imparting low quality education by incompetent teachers is foremost. There are allegations of low quality teachers being recruited on political consideration and teachers remaining busy with anything other than educational and extra-educational activities. The other allegations that often are raised about primary teachers are that they are never seen agitating about improving the curriculum or asking for better and modern teaching tools and so on.

We feel a thorough review of the entire gamut of primary education policy is very much in order. In this connection we would like to suggest formation of a special commission to undertake the task and take steps to reform the sector for the benefit of the future generations.

## Why your stay in office should not be declared immoral?



ABDUL BAYES

## BENEATH THE SURFACE

We strongly feel that Justice M A Aziz and his two "comrades" are trying to mess up things further by clinging to the posts for which they are not deemed fit. They have already become controversial in their deeds. We do not think that the opposition is going to participate in any election held under their supervision and "engineering". Nor do we think that any one worth the reasons within the ruling party would support their acts. The best way for the "gentlemen" in this situation would be to look for an exit and thus save themselves from public wrath. Meantime, Mr. CEC, please explain why your stay in office should not be declared immoral by the public of this country, if not by the party in power.

LAST Tuesday, in this column, we tried to carry forward the argument that the Chief Election Commissioner (CEC) Justice M A Aziz along with his two 'comrades', now in the cockpit of the Election Commission (EC), should immediately resign for the sake of the sanctity of the posts they were prided with by the present ruling alliance. Our claim for their resignation came on the heels of a hue and cry all over the country - over the fake voter list that shocked us all. The electronic media and newspapers published stories about "ghost-voters". From the documentary evidences shown, it became crystal clear that the new voter list that the CEC and his two "comrades" aimed to deliver was anything but fair. Taking the cue from the famous Gresham's Law in Economics, in some cases, fake voters disconcertingly drove genuine voters out of the list!

The CEC's unilateral move to prepare a new voter list was challenged in the High Court (HC) which, after due deliberations, asked the EC

to go for an updated version on the basis of discussions with EC members. The CEC - himself Justice of the Supreme Court - bypassed that verdict of the HC and continued with his new voter list. Meantime, he also appealed to the Supreme Court (SC) against the verdict of the HC and for a support for his deeds under constitutional cover.

As everyone knows, a fair and transparent voter list is a sine qua non for a free and fair election and for institutionalization of democracy in the country. But the way it was handled by the EC, especially by its captain the CEC, appeared to cast serious doubt on the neutrality of the EC management. Even the EC itself was alleged to have been involved in making fake voters list by instructing field level officers to include fake voters. None of the EC stalwarts could come up with reply to the allegations raised by the media. Assuming that the drive to make a new voter list the

brain child of the CEC is acceptable, the oddities developed around such an exercise clearly calls for resignation of the three persons mentioned above, due to their utter negligence of duties and failure to realize the ramifications of the process on our national life.

But on that Tuesday, when we tabled our argument, the Supreme Court (SC) rejected the appeal of the CEC and upheld the verdict of the HC with a distinct note that EC should base the voter list on the earlier one. Thus, according to SC also, the process of completing a new voters list was held not to be in consonance with the constitutional provisions of the country. According to the opinion of the SC, what EC should have strived at is not a new but updated voters list. We expected that the CEC and his "comrades" would immediately come down from the EC data and save the nation from additional crisis in the days to come. On Thursday last,

readers may recall, all the leading newspapers in the country demanded the resignation of the CEC and other two members, particularly in the wake of growing resentment and suspicion over the conduct of a fair election by them. Some of the leading newspapers also wrote commentaries, interviews by civil society members were telecast and stories ran galore about the ways EC has been made an office of the ruling alliance.

But till today, no news on that score has come to us and we are shocked to see that Justice M A Aziz, Messers Zakaria and Mahfuzur Rahman are still clinging to their posts, possibly, to put the last nail on the coffin of a free and fair election in 2007. But we think now, as we thought before, that their stay in office is immoral and unethical, although the stay could be construed as legal. Hence, we shall present a few arguments for their resignation.

First, the CEC has violated constitu-

tional norms by going for a new voters' list, despite the fact that electoral rules do not permit that. Secondly, he did not care to abide by the decision of the HC that opined that the norm be upheld. He should have stopped the whole process till the verdict of SC came. Thirdly, when the HC instructed to take decisions taking into cognizance the opinions of other two members, the CEC committed certain offences. For example, he abstained from attending the office, pushed forward the argument of his ailment that justified his abstention from office; waited till the government had selected two members to support him; organised a meeting only after the two new members had joined to ensure a majority, and finally went for an appeal, against the opinion of the two erstwhile members. The whole alleged 'grievous game' - hardly becoming of a Justice of the SC -- goes against the very basics of morality of the CEC. We also feel that the other two members of EC, by sharing the game with the CEC, also became party to this pitiable position and hence cannot escape the allegation of a lack of morality in them.

On another side, the EC spent Tk 600 million just to satisfy the whims of the current CEC in processing the new voters' list. Now it seems that the money -- that could be used to build 300 primary schools with modern facilities, immunise 60 lakh children, help 6 lakh poor families with credit @ Tk.10,000 each and so on - was simply wasted. The wastage of public money to pursue one's own goal is an act of immorality. According to government

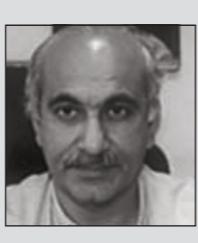
audit rules -- as experts put it -- the costs of a project not approved by country's rules and regulations should be recouped from the pockets of the persons engaged in such a deal.

It is true -- as opined by Abdul Mannan Bhuiya and others -- that the posts of CEC and other two members are constitutional and the Government cannot remove them, even if it desires to do so. But Mr Bhuiya should know that, beyond the boundary of legality, there is also a question of morality or ethics upon which an ordinary citizen should ride, not to speak of a personality like the CEC.

We strongly feel that Justice M A Aziz and his two "comrades" are trying to mess up things further by clinging to the posts for which they are not deemed fit. They have already become controversial in their deeds. We do not think that the opposition is going to participate in any election held under their supervision and "engineering". Nor do we think that any one worth the reasons within the ruling party would support their acts. The best way for the "gentlemen" in this situation would be to look for an exit and thus save themselves from public wrath. Meantime, Mr. CEC, please explain why your stay in office should not be declared immoral by the public of this country, if not by the party in power.

Abdul Bayes is a Professor of Economics at Jahangirnagar University.

## Reserved for politics



M.J. AKBAR

## BYLINE

Statistics are a much more sophisticated science than they were in 1950, as is demographics. It is possible now to take affirmative programmes towards those below the poverty line, rather than return to the bane of India, the caste line. It amazes me that a government headed by an economist refuses to consider this option. There would not be a murmur from students if an economic criterion were applied. An economic criterion has justice on its side; a caste criterion merely politics.

I wonder if Prime Minister Manmohan Singh realises how effectively he has maimed the legacy of Finance Minister Manmohan Singh by an ill-intentioned reservation policy that seeks to restore the primacy of political manipulation over rational economic evolution. The British protected their empire by the effective use of a Roman principle of political management: divide and rule. The British divided Hindus and Muslims in order to survive. Dr Manmohan Singh's government is pouring acid on the divisions of Hindu society in order to protect its power.

Caste is a fact in India; casteism is an evil. There was early recognition of this evil when the basic structures of a modern Indian state were being established by the generation that won us freedom from the British. Coincidentally, I am writing this on the day Jawaharlal Nehru, a Brahmin who challenged the inequities of Indian society, died. Nehru understood the need for affirmative action. But none of these terms -- caste, casteism or affirmative action -- is a stagnant reality.

Nehru, and the Constituent

Assembly, followed their leader and mentor, Mahatma Gandhi, and extended affirmative action to those who had suffered the greatest injustice, the Dalits. They did not raise the bar to the Backward castes. Was Nehru an enemy of the Backward castes? He dreamt of and founded the great institutions that have become the pride of India all over the world. Reservations were not an unknown concept: why didn't Nehru, or his daughter Indira Gandhi, allot half the seats in educational institutions for select castes? You cannot accuse them of being indifferent to India or its realities. In fact, the inequity was much worse sixty years ago, and thirty years ago, than it is today.

But Nehru and Indira Gandhi knew that, if it is to succeed, social policy in a democratic polity must be held together by reason and consensus. When there is reason, policy is reasonable; when it is reasonable, there is consensus. Casteism, and the domination of the upper castes, was much, much worse in 1950 and 1967 than it is in 2006. But there was no anger when reservations were made into law in 1950. The upper castes that would not permit the shadow of a Dalit to cross

their path suppressed their bloated egos and kept their mouths shut. Reservations were accepted as a necessary step towards a better India. Today, excess is on the verge of destroying the necessary. Reservations are now the interest -- collected by pick pocketing the future of India -- paid by politicians for loans from their vote banks.

Students and doctors are out on the streets not because they reject the need for social justice. They are out because politicians are stealing the future of the young in order to preserve the power of the old.

Does Dr Manmohan Singh understand why these young men and women have suddenly become so disillusioned with him? It is because Dr Singh gave them their most recent illusion. He promised the young release from the shibboleths and knots that had cuddled India for too long.

A child who was five in 1991, when Dr Manmohan Singh became finance minister and guardian of economic reform, is twenty today. He, and, thank God, she, have grown up in the belief that India won political freedom in 1947 and discovered economic freedom in 1991. Perhaps the latter could

not have come earlier. It needed the confidence of a state that had been able to protect its political independence against the encroachment of neo-colonialism. It may also have needed the failure of theories like state-entrenched socialism. It was certainly spurred by the humiliation of Indian gold reserves being placed in hock to London bankers to maintain foreign exchange liquidity. Since then, through the vicissitudes of democracy, Dr Manmohan Singh has represented a virtue that has disappeared from politics: integrity. He was the true hero of the new Indian dream. There is heartbreak on the campus. Arjun Singh cannot be the source of any disillusionment because who could possibly have any illusions about him?

The true tragedy is that Dr Manmohan Singh's economic reforms were, imperceptibly, beginning to heal sordid divisions like caste by luring the young towards an urban mindset. Government is not the only source, or catalyst of change, a proposition surely endorsed by Dr Singh. I would argue that market-driven urbanisation has done as much to obliterate the worst elements of casteism as any law passed by

the legislature. Check out the BEST metaphor: it might be a weak attempt at a pun, but it is useful. When a Mumbaikar gets into a public bus (run by BEST) does he worry that the person he is rubbing against might be a Dalit? How do you recognise a Dalit in Mumbai? You don't. Caste flourishes in the frozen geography of a village, since areas are allotted by caste.

There seem to be worse dangers ahead as this government wilts under the pressure of militant Cabinet ministers with a single demographic support-base and rising ambitions.

The constituency needs of Meira Kumar and Ram Vilas Paswan could end up holding the government, and then the country, hostage. Both are telling the private sector, via television

(which also informs their voters) that it is only a matter of time before there are reservations in their factories. This is always accompanied by a threat: or else.

Muslims started the politics of reservations, long before Independence, demanding their own seats in legislatures. The British were only too happy to concede to such logic. The Congress argued that community-based reservations were only a prelude to a division of the country, and when Pakistan was formed this argument seemed to have made its point. However, the Congress accepted this logic for Dalits, presumably on the grounds that Dalits were, socially and economically, far worse than Muslims. Implied, but never stated, was the confidence that no other community would extend an economic demand to partition.

The tension is churning out the innumerable contradictions in a

policy line that refuses to adapt itself to new realities. Statistics are a much more sophisticated science than they were in 1950, as is demographics. It is possible now to take affirmative programmes towards those below the poverty line, rather than return to the bane of India, the caste line. It amazes me that a government headed by an economist refuses to consider this option. There would not be a murmur from students if an economic criterion were applied. An economic criterion has justice on its side; a caste criterion merely politics.

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One of the more interesting facts about the anti-reservations agitation is the significant presence of Muslim students. These students have broken through powerful barriers of discrimination in order to reach where they are. Everyone in six decades of politics has come to Muslim doors for votes, but there is no quid pro quo; no one has given them an assured percentage of jobs or a place in educational institutions. The Manmohan Singh government may consider itself the paradigm of secularism, but it does not talk of reservations for underprivileged Muslims. (As statistics prove, the inclusion of Muslims in certain Backward castes is nothing but a hoax.) Those Muslim students who are becoming young doctors and managers are proof that there are other methods by which discrimination can be challenged. They are also painfully aware that when you divide Indians, you run the danger of dividing India.

Economic reform was beginning to unite the young. Politics is once again turning a crack into a chasm.

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## OPINION

## Havoc in the garment industry and the 22-dollar a day question

We appreciate those buyers who compel the factory owners to go for compliant factories, and pay higher CM charges to those factory owners who comply with their demand. Blaming people who do not belong to us will not solve our problem. It is the sacred duty of the government to make the garment owners to understand that the garment workers deserve more; they are to be treated humanely; they need leisure; they have personal lives. If they don't understand what is what then, unfortunately the untoward incidents may be happening in our garment sector now and then.

FAROUQUE HASAN

WHO caused the havoc to the garment factories on May 23, the ordinary citizens of this country will never know. So many rumours are on the air as to the participants of the rampaging forces on that day. Even if a judicial inquiry committee is appointed to find out the truth, the rumours will not bother its findings. A judicial inquiry committee found some police personnel guilty of committing atrocities on a pregnant housewife; the magistrate court acquitted all of these police personnel. Who pays heed to the findings of a judicial

inquiry committee in this country is a difficult question to answer.

The rumour mentioned above has been manifold. Some people are saying that it is the members of the student wing of BNP, who rampaged through one after another factory, wearing blue helmets, moving from one place to another by trucks. Law enforcers' inaction toward the blue helmets is the basis to this rumour. Only a few days back the law enforcers killed twenty-one people at Katsar, who were demanding redress to their grievances.

Why BNP should try to cause disorder in the country, while it is in power? Because it wants to foil the

next general election and perpetuate its grip on power, as the rumour pays.

The fact that the president suddenly fell grievously sick has poured fuel to this rumour. Another rumour is that, the Awami League supporters did the rampage. The main opposition party did it to show the government its strength of what havoc it will be able to cause to the country, if its demand as to the amendment of the caretaker government system is not fulfilled. A few days back Awami League supporters belonging Juba Sangram Parisad, damaged so many vehicles on the street at Purana Paltan in the name of besieging PWD office; this event has

garment workers are female, and they have not seen taking part in the May 23 devastation. This side of the picture corroborates, to some extent, what the factory owners say. Our garment factory owners are lucky that the garment workers in Bangladesh are docile. They are being exploited so ruthlessly, still seldom they do show their resentment.

There is another rumour that the left romanticism was behind the havoc on May 23. These leftists wanted to give a good lesson to the factory owners for the gross injustice they have been doing to their workers. But have they thought of if garment business leaves Bangladesh, where will these fifteen hundred thousand plus female workers get jobs? What alternative these workers will be left with but starvation? Sri Lanka lost its garment industry due to unrest in that country. The milch cow, which goes, is far better to cut off its horns than to slaughter it.

The state minister for home affairs

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As usual, this time the foreign media did not miss the chance to use of what happened on Tuesday to portray the sad picture of Bangladesh. When Bangladesh achieves 6.5 percent annual GDP growth rate that is not a news item in western media. The Guardian of the UK has reported on what happened in Bangladesh on May 23, quoting a garment worker that he earned twenty-two US dollar a month as his wage. That is less than a dollar a day. The people in the west very much like to say in a compassionate tone, whenever they get a chance, that the people in the developing countries earn less than a dollar a day. They like to use Atlas method of computing per capita income of the people of developing countries, instead of using Purchasing Power Parity (PPP) method for that purpose. The PPP method makes it clear that one-dollar in a developing country like Bangladesh is more than four dollars in the USA. Because what we can buy for one dollar in Bangladesh, one will need to pay at least four dollars for that in the USA.