

A matter of formality?

KHANDAKAR QUDRAT-I ELAHI

ON October 11, an ACC team interrogated Khaleda Zia to record her side of the story concerning the Global Agro Trade (Private) Company Ltd (Gatco) scam case. During the interrogation, Begum Zia denied all charges brought against herself and her son: "Neither me nor my son had any involvement in the deal." She also told the interrogating team that she was not influenced by anyone, nor did she exert any influence on the purchase committee to award the contract to Gatco.

Begum Zia described her approval of the Gatco files merely as a matter of formality. "Gatco files were placed before me for approval after they were okayed by the purchase committee." And there was hardly any instance, she said, of a prime minister rejecting a proposal that had received approval from the purchase committee.

Perhaps two questions are troubling our minds. First, is Begum Zia guilty as charged? Second, should we believe her testimony?

Although the two questions are intimately related, they are very different. The first question is legal and, hence, will be decided in the court. If the ACC can produce valid evidence to prove its accusation, then Begum Zia will be tried as charged. This will make those happy who do not like her or BNP.

But her supporters, in all probability, will reject the verdict and vow to appeal to a higher court to repeal it.

The second question basically concerns public opinion. In this regard, a maxim by philosopher Francis Bacon seems relevant: "The human understanding, when it has once adopted an opinion, draws all things else to support and agree with it. Although there be a greater number or weight of instances on the other side, it either ignores or rejects them."

Indeed, there are many politicians and celebrated members of our civil society who have already formed their opinions, and really do not care what the evidence and events say. For example, teachers of Dhaka and Rajshahi University have protested against the restrictions imposed upon the two leaders.

However, I am not at all concerned with these questions: Mrs. Zia might very well be telling the truth, and the court might find ACC's evidences insufficient for convicting her.

My concern is about her political status. According to the parliamentary system of democracy, the leader of the political party winning majority seats in general elections forms the government and becomes its head. She/he is charged with the authority of selecting the members of his/her cabinet, and is accountable for the performance of the government

during the tenure.

Since 1/11, Begum Zia has continued to deny any responsibility of what happened during her rule. She has been refusing to take responsibility of the activities of her cabinet members as well as her family members. Now, she says that the prime ministerial job is merely a matter of formality. Anyone with some degree of commonsense will find this statement very strange, as well unacceptable! As the head, she must bear all responsibilities of the activities of her government, both good and bad.

Indeed, some very interesting issues emerge from her statement. Let's accept, for the sake of argument, that signing the Gatco files was a formality. But was it a formality to appoint Falu and Harris Chowdhury as her advisers? Was it a formality to select, for example, Babar, Moudud Ahmed and Nazmul Huda in her cabinet? Who prepared the list of her cabinet members?

Perhaps one should not be blamed if one concludes that Begum Zia knowingly chose her team to plunder the nation and destroy its entire system of public institutions. When something bad happens, we always search for the ringleader or godfather. Yet, it is very strange that we do not look for a godmother in politics, under whose leadership the nation was brought to the brink of a civil war. Look at AL and BNP. They were all united under the leadership of

Hasina and Khaleda, respectively, before 1/11. They are still united under their leadership. In other words, Hasina and Khaleda mobilised people around themselves to perpetuate their grip on government power for their own interests.

In my judgment, the most important issue before the citizens of the country is whether Begum Zia and Sheikh Hasina should be allowed to lead their parties, and to contest in the upcoming national elections. Since this is a very serious and sensitive issue, it should, and must, be resolved following the principle of democracy. And I believe that the theory of democracy is robust enough to provide solutions to all kinds of political problems that might crop up in the political system.

According to the principle of democracy, the citizens are the sovereign authority of the state, which is vested in the institution of government. Thus, the citizens are the only rightful authority to choose representatives to exercise this sovereign power. This choice is made through general elections. Although any citizen possessing specified qualifications can contest in an election, the normal practice in a parliamentary system is that interested citizens organise political parties and nominate candidates in different constituencies. The party that wins the majority of seats forms

the government.

This practice defines the fundamental roles of voters and political parties in democracy. Voters, as the owners of the state, make the ultimate decision about who will sit in parliament and form the government. The first and foremost role of a political party, on the other hand, is to choose its leader and present candidates for voters to make that choice. Once voters have made the choice, they observe and evaluate the performance of the government during its tenure. If they are satisfied with the performance, the party in power is re-elected in the next general elections; otherwise, they make a different selection.

The defeated party now has a big job to prepare itself for the next elections, which involves, first and foremost, choosing a new leader. This is dictated by principle of democracy: political parties supply the alternatives, and voters, as the ultimate decision makers, make the choice. Voters do not choose a person who has been removed from the job for poor performance. This is the practice in all advanced democracies: once the party in power fails to get re-elected, the party leader resigns, clearing the way for appointing a new leader.

In our country, this principle of democracy is not practiced, which is the main cause of all political problems -- lack of democracy within



parties, leaders becoming autocratic, criminalisation of politics, nomination business, etc. Therefore, the solution to what is popularly known as the "minus-two theory" is to create a situation where the political parties must follow the principle of democracy in choosing and changing their leaders.

For good reason, I do not believe that this suggestion will come from our celebrated civil society, let alone our political

parties. As I mentioned before, Dhaka and Rajshahi university teachers have already shown that they are firmly behind the two leaders. Consequently, the responsibility of introducing the practice squarely falls upon the current government and the election commission. The government is indeed trying hard, through existing laws, to convict these leaders so that they cannot qualify to contest in the upcoming

general elections.

However, the Election Commission seems to have the most vital role in this regard. It must frame a law that would lead to politicians like the two leaders being ineligible for leadership position in any political party. Unfortunately, the Election Commission is nowhere near this step.

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Pros and cons of absentee voting

HABIBUL HAQUE KHONDKER

IT appears that the caretaker government has almost set its mind on granting voting rights to the overseas Bangladeshis. This decision may be both popular and constitutional. After all, in a democratic country every citizen is entitled to equal rights, so why deprive the overseas Bangladeshis of the right to vote?

Many Bangladeshis are living overseas mainly for economic reasons, yet they are making significant contribution to the Bangladesh economy through their hard-earned remittances, which is estimated at \$5 billion. Hence, granting them the right to vote from their faraway locations makes a lot of sense.

There are other secondary benefits of granting voting rights to overseas Bangladeshis. The most important of which is registration of Bangladeshis through voter registration, which will have many positive consequences, ranging from welfare of the overseas workers to protection of their rights.

So why should one worry about pointing out the "cons"?

While the "pros" are quite obvious, the "cons" are somewhat unobvious.

There are mainly three points the Election Commission and concerned parties should seriously consider before granting the voting rights.

- There are an estimated three million (or more) Bangladeshis living overseas. They are spread out all over the world, and their registration will be a mammoth task. It is quite possible that some of them, depending on their proximity to the embassies, luck and exposure, will be registered and others will miss the opportunity. So the voting rights will be unevenly exercised.
- The various countries where Bangladeshis are scattered have different levels of political freedom. In some countries, open discussions, debates and even political rallies will allow overseas Bangladeshis to get a good deal of information and views on the candidates and their platforms. Yet, there are countries where such political debates and discussions are not permitted. For example, in USA, UAE and UK Bangladeshis can watch Bangladesh television channels and keep themselves informed of the political developments back home, whereas their opportunity to discuss and deliberate on issues may be limited. And there are countries with large number of overseas Bangladeshis where there are no Bangladesh television channels, and political activities are restricted. This will stand in the way of creating a level playing field in so far as political campaigns and activities are concerned.
- Bangladeshis living overseas, unlike many other communities, are quite divided along lines of class, politics and districts of origins. What the overseas Bangladeshi community needs is more unity so that they can protect their rights as an ethnic or national community. Active participation in national politics

and voting will bring in its wake campaigning and further divisions, bitterness and fragmentations within the ranks of the Bangladeshis. This may be democratic, but such divisiveness will not help Bangladeshis stay as a cohesive community. The administration should give serious consideration to these "cons."

It may be useful to look into the situation of absentee voting in other countries. In America, overseas Americans got their right to vote only in 1975. Initially, the beneficiaries were the US military men and women overseas. No wonder the Congressional Act that enabled overseas Americans to vote is called, Uniformed Overseas Citizens Absentee Voting Act (UOCAVA). Cyber technology is almost a sine qua non for successful voter registration, information sharing, and so on. There are many nonpartisan groups, which provide information on voting registration.

Another country where overseas voting is important is the Philippines. There are over 3.5 million Filipino Overseas Contract Workers (OCWs) in the world who raked in over \$14 billion in 2006. The literacy rate -- and computer literacy among the Filipino overseas workers who can make good use of the web-based resources -- is very high.

Here, the majority of the Bangladeshi workers will be at a disadvantage. Although many Bangladeshi workers have school even college level education, they lack computer literacy. Two other countries where voting by overseas citizens has been quite successful are Australia and Singapore. The latter started it in 2001. In both Australia and Singapore voting is compulsory. In the case of Singapore, the advantage is that the number of overseas voters is relatively small, their computer literacy is very high, and the government is a trend setter in efficiency. Frankly speaking, the Bangladesh government is not quite there in efficiency yet.

In the cases of the Philippines and the US, the overseas voters

vote in the presidential elections, where they choose between two or three candidates. In the case of the Philippines, under the Election Commission there is a committee on overseas absentee voting, which looks after the voting of the overseas Filipinos. Any Filipino who has lived overseas for more than 15 years is not eligible to vote.

For the Bangladeshi voters, there will be hundreds of candidates in a parliamentary election, where the constituencies of the voters will have to be matched with those of the candidates -- a Herculean task.

When all is said and done, do the overseas Bangladeshis deserve the right to vote? Yes. But not immediately. A solid system of voter registration is a precondition for absentee voting.

Before making a final decision, the Election Commission, which is currently manned by responsible and sincere people, must take all these pros and cons into due consideration.

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Communism by the numbers

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AFTER five years of factional horse-trading and political gossip, China's communist party today publicly unveiled its new top leadership. Party boss Hu Jintao is slated to stay put for another five years, but key personnel shifts took place at lower levels, and the new lineup kicks off a protracted succession process in a party bureaucracy in which rising stars are selected rather than elected.

Some analysts thought Hu and his political ally Prime Minister Wen Jiabao had consolidated power decisively in recent years -- but that assumption overestimated Hu's clout. After grooming a key protégé as heir apparent, today it became official that Hu has accepted a different up-and-coming cadre in that key slot.

Wait, before we go further: are your eyes glazing over at the prospect of a string of obscure Chinese names that you'll never pronounce, much less remember? OK, let's make this easier. If you can't remember those tongue-twisting names, you can at least understand something about Beijing's leadership maneuvering by looking at Chinese politics by the numbers:

68, that's the expected retirement age of Chinese officials, and the party seems to be taking it more and more seriously. No member of the new 204-member central committee is older than 67. And in the new nine-man Politburo Standing Committee a party player, Vice President Zeng Qinghong, stepped down after reaching that retirement threshold.

Seen as a behind-the-scenes kingmaker, political hatchet man and the most powerful leader to retire, Zeng was once perceived as Hu's political rival and a supporter of the so-called "Shanghai faction" led by Hu's predecessor, Jiang Zemin. Still, Zeng's retirement doesn't mean that Hu has won a great political victory.

54 and 52 respectively, the ages of Shanghai party secretary Xi Jinping and Liaoning party secretary Li Keqiang. Their being "relatively young" was how party boss Hu introduced these two new faces in the Politburo Standing Committee. But what Hu really meant was this: "I'm planning for these two youngsters to take over China's top jobs (assuming they don't mess up) when Prime Minister Wen and I retire five years from now."

Li, who's identified with the Communist Youth League that was Hu's springboard to power, was long thought to be Hu's choice to succeed him as party chief. But today it was officially confirmed that Xi -- seen as factionally "neutral" -- outranks Li in the new lineup. That means Xi is on a trajectory to become party boss in 2012. Li, meanwhile, is now slated to become prime minister -- but his candidacy for the top party slot

could be revived in the future, if Xi were to stumble politically. (In China the top party slot is more powerful than the prime-ministership.)

9, that's the number of members on the Politburo Standing Committee (PSC), the most powerful policymaking body in China. It's the same number as the preceding PSC, despite the fact that Hu had hoped to reduce the size of the unwieldy body to seven. The fact that it's nine, not seven, means Hu didn't have the political clout to orchestrate the leadership lineup that he initially wanted.

8, that's the number of men in the nine-member Politburo Standing Committee who wore dark charcoal Western suits, white shirts, and predominantly red ties as they walked onto a dais today to stand stiffly before an audience of domestic and foreign media. The only sartorial maverick was National People's Congress's Wu Bangguo, who was dressed in a dark charcoal suit, white shirt, and a mostly navy tie with bits of red.

9,376, the number of cadres investigated and punished for violating party discipline between 2003 and 2006, according to Ouyang Song, deputy head of the party's powerful organization department, in a report to the party congress last week. High-level cases of corruption have ensnared a growing number of senior party members in recent years, including former Shanghai party secretary Chen Liangyu, who was sacked for financial abuses involving the city's pension fund. Top party leaders acknowledge that crooked cadres undermine public confidence in the regime -- and if left unchecked could threaten the party's very future.

70 million-plus, the current number of Chinese communist party members. In recent years the party has reached out to private entrepreneurs, once considered anathema to the communist cause, to increase its relevance to grassroots Chinese. One of the delegates at Beijing's just-concluded 17th party congress was a wealthy young woman entrepreneur who told media she saw "no contradiction" in the fact that she was a party cadre who drove a Rolls-Royce.

One, that's the number of times since 1949 that China's leadership succession has proceeded pretty much according to plan. For most of the party's post-1949 history, being heir apparent was a high-risk occupation. Designated successors have succumbed to purges, death while under house arrest, a mysterious plane crash, or being elbowed aside in factional conflict. Only Hu's own rise to the party's top job went more or less according to script. Now it remains to be seen whether the post-Hu succession will be as smooth.

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Old gripe brings Turkey face to face with Iraq

DILIP HIRO

THE Kurdish problem has been a running sore for Iraq and Turkey since their emergence as modern states, but was little more than a local irritant -- until now. With US occupation forces encamped in Iraq and the Kurdish drive for independence appearing irreversible under Washington's wings, the issue has shot up on the international agenda, threatening to upset the fragile regional balance of power and further delay US withdrawal from Iraq.

Several strands make the issue highly combustible: tapped and untapped hydrocarbon reserves in the Kurdish territories; strong extra-territorial Kurdish solidarity; the unresolved distribution of power between the center and the provinces in post-Saddam Iraq; Washington's ongoing coddling of Iraqi Kurds, who consolidated their quasi-independent status, with support of the US and Britain for 12 years; and the Partiya Karkeren Kurdistan (PKK) in Turkey resorting to violence to achieve autonomy for the Kurdish-majority region.

Although Kurds in the region are citizens of Turkey, Iraq, Iran or Syria, their ethnic identity tends to supersede their loyalty to the central national authority. A major event concerning Kurds in one country quickly engages fellow Kurds in neighbouring states.

The Kurds in the region envy those in Iraq. Consisting of three provinces, Iraqi Kurdistan has its own army, parliament and flag. Its

schools impart education in the Kurdish language, akin to Persian, not Arabic. It passed its own hydrocarbon law. And, ignoring the warnings of the oil ministry in Baghdad, it signed exploration and production contracts with nine oil companies including the Dallas-based Hunt Oil Company, which is close to the Bush administration.

Recent events put the Kurdish issue on the front burner. Despite last month's agreement between the prime ministers of Turkey and Iraq to stamp down Kurdish terrorism, and repeated pinprick forays by the Turkish army into northern Iraq, an estimated 3,500 PKK guerrillas, based in Iraqi Kurdistan, have killed 42 Turks, soldiers and civilians.

The Turkish parliament provided the government with a year-long window to conduct cross-border operations against the PKK, listed as a terrorist organisation by the US and the European Union. The vote was 507 to 19, with all negative votes cast by ethnic Kurds, highlighting the priority that Kurds give to their ethnicity over their nationality.

Against this volatile background came the ill-considered attempt by the US House of Representatives Foreign Affairs Committee to pass legislation that inflamed Turkish opinion. The resolution describes the massacres and deportations of 1 million Armenians during World War I -- when Ottoman Turkey sided with Germany against the Allies -- as genocide. This is a highly sensitive subject for Turkey, successor to the Ottoman Empire.

Turkey has threatened, if the House adopts this resolution, to close its airspace and ports to the US, thus reducing Pentagon effectiveness in Iraq.

After securing parliamentary authorisation for "cross-border operations" -- a euphemism for invasion -- Turkish Prime Minister Recep Tayyip Erdogan said that such a move was not imminent.

That did not stop thousands of Iraqi Kurds in the regional capital of Irbil marching to the United Nations compound to demand intervention by the UN Security Council.

Nor did it dampen debate in Iraq as to how Iraqi authorities would respond to the Turkish army's advance into northern Iraq. Will Kurdish militiamen -- called "peshmergas," or those ready to die -- and US troops engage the Turkish soldiers? Or will the central government deploy forces to repel the incursion?

The second option is academic. The Kurdistan Regional Government (KRG) has upgraded the 75,000 "peshmergas," belonging to the two ruling political parties -- the Kurdistan Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK) -- to regular soldiers, and refused to let Iraqi troops enter its territory. Its armed forces guard the posts along the borders with Turkey and Iran.

Faced with the prospect of an onslaught by the Turkish army, the second largest in Nato, a spokesman of the KRG offered "honest dialogue" with Ankara to resolve the PKK problem without "the constant violation of Iraqi sovereignty."

In his view, Iraqi Prime Minister Nouri al Maliki made a mistake by excluding the KRG from talks with his Turkish counterpart to forge an agreement on countering PKK terrorism.

But Turkey has shunned the government in Irbil -- which repudiated the Erdogan-Maliki agreement -- while loudly protesting its ever-expanding power and profile. It fears that even implicit recognition of this entity will encourage Turkish Kurds to demand autonomy as a preamble to independence.

The idea of independence for the Kurds in the region dates back to the disintegration of the Ottoman Empire after World War I, formalised in the Treaty of Sevres in 1920. Kurds feel that US President Woodrow Wilson failed to keep his promise of delivering to them an independent state as envisaged in the treaty. They ignore the fact that the Turkish parliament rejected that treaty, and the subsequent Treaty of Lausanne of 1923 made no mention of an independent Kurdistan.

More recently, heeding the call by US President George H.W. Bush at the end of the 1991 Gulf War, the Kurds in Iraq rebelled against Saddam Hussein's regime, only to see their uprising crushed by Saddam's forces. Washington and London created a safe haven in the north for Kurdish refugees and rebels by providing an air umbrella that continued until the Anglo-American invasion of Iraq in 2003.

Kurdish leaders agreed in March

2004 to dissolve their militias or merge them into the new Iraqi army and then later said they were postponing the agreement "indefinitely." The US, the occupying power, did nothing.

In the interim parliament, lacking proportionate Sunni representation due to the Sunnis' boycott of the general election, conflict developed between Shiites and Kurds. The recently empowered, deeply religious Shiite majority wanted to establish a centralised Islamic republic. But, committed to secularism, the KDP and the PUK favoured a federal Iraq with a weak center.

When Shiite leaders failed to get their Kurdish counterparts to agree to diminution of the autonomy Kurdistan had enjoyed, they approached Grand Ayatollah Ali Sistani for guidance. Noting Kurdish obstinacy, Sistani recommended a federalist system, allowing one or more of the 15 non-Kurdish provinces to form a regional government with powers comparable to Kurdistan's.

This alarmed Ankara. In contrast, the Bush administration, beholden to the Iraqi Kurds, looked on benignly as the new Iraqi constitution sowed the seeds of the republic's break-up.

Washington's failure to pressure the Iraqi Kurdish leadership at a crucial moment alienated the Turkish government. Matters grew worse when Ankara's repeated appeals to the US to use its forces to curb the PKK went unheeded.

Irked by Bush's warnings against a military move into Iraqi Kurdistan, Erdogan said that he did

not need to seek permission from any foreign entity: "Did they [the Americans] seek permission from anybody when they came from a distance of 10,000 km and hit Iraq?"

What puzzles the Turkish leaders is Bush's failure to see that they, too, combat terrorism.

"Turkey is implementing the same international rules that were implemented by those who linked the attacks on the twin towers to some organisation," explained Turkish justice minister Mehmet Ali Sahin.

But payback inevitably follows. "If Turkey conducts any attack or operation against Iraqi Kurdistan or Kurds anywhere, we are prepared to defend ourselves," said an unnamed PKK leader. "We will spread resistance throughout Turkey and Kurdish areas in Iraq, Iran and Syria."

The Bush administration should have tempered its indulgence toward Iraqi Kurds with pressure during the drafting of the new constitution and gotten its leaders to scale down Kurdistan's quasi-independence to re-establish a unitary republic. The failure to do so brings it to the point where the US is seen as soft on terrorists -- albeit of non-Islamist variety -- facing the prospect of the only peaceful Iraqi region turning into a battlefield.

Dilip Hiro is the author of *Secrets and Lies: Operation Iraqi Freedom and After*, and *Blood of the Earth: The Battle for the World's Vanishing Oil Resources*, both published by Nation Books, New York.

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