

Lawlessness and Crime

Murder of three in broad daylight at Mohakhali, burning of cars and motor bikes by the students of Salimullah Muslim Hall, beating up of the general public by the staff of the GPO, gun battle between rival student groups at the Salimullah Medical College and the attack by a group of miscreants upon the Dhanmondi police are a few of the incidences of lawlessness and crime that have occurred in the city within the last three days. An impression of a gradual deterioration of the law and order situation in the city is slowly but surely taking root. It is now a common experience to see the city traffic being diverted this way or the other because there is an untoward incident somewhere which has spilled over into the public thoroughfare with the police doing what they seem to be best at doing — sealing off the whole area and waiting for the situation to settle down by itself.

A fear, perhaps unfounded, is slowly creeping into the public mind that streets are no longer safe, that police cannot be depended on to provide the necessary security and help and that the city life is becoming more dangerous and violence prone than before. The situation, however, is far from having gone out of hand and such fears are not justified. That is, not yet.

Much of the blame for the deteriorating law and order situation in the city must necessarily lie on the shoulder of the police force. Their efficiency in controlling crime is coming under increasing scrutiny and questions are being asked as to whether the time is not appropriate for a thorough reform and reorganisation of our police force. Like so many other institutions in our country, the education and training of our police are based on the objectives and rules set during the colonial times — first the British, followed by that of Pakistan — resulting in a psychological make up that necessarily puts them into a conflict course rather than a co-operative one vis-a-vis the public.

As for the immediate resolution of the rising incidences of crime in the city a more vigorous effort at rounding up the criminals, anti-social elements and neighbourhood thugs needs to be undertaken. Some sort of a dialogue between the highest authorities in the police force and community leaders may open up possibilities of public and police co-operation in stemming the rising tide of lawlessness and crime. During the nine years of autocratic rule the police were mainly used to oppress and control the public. With the advent of a democratic order the role of police will have to be changed and such a dialogue, as suggested above, may be the first step.

The fact that the Prime Minister herself is in charge of the ministry that controls the police force assures us that everything will be done to turn our police force into one that concerns itself with public welfare and safety and not with political oppression and public harassment. In this regard mention must be made of the role of the political parties in helping our police force in enforcing law and order. We are well aware that part of the violence and lawlessness that is plaguing the city is rooted in politics. The co-operation of the political forces is therefore necessary for the police to play the role that we desire of them.

The democratic political environment that we are slowly but firmly heading towards will have to be supported by a greater respect for law and order, by all concerned, if we are to enjoy the fruits of the democratic process.

Asian Club Cup

Top Asian football clubs have gathered in Dhaka to compete for the 10th Asian Club Cup. They kick off this evening amid high expectations of not only good quality football, but also of triumph for local representatives, the Mohammedan Sporting Club (MSC). This tournament comes just over a month after the successful staging of the BTC Club Cup tournament, in which three teams each from Bangladesh and West Bengal took part. Success of Abahani Krira Chakra in that tournament served to consolidate Bangladesh's position as the leading footballing nation in the region.

Today, MSC embarks on a tougher journey, in search of greater glory. The prize, the Asian club crown, is the most exalted title for which a Bangladeshi club has ever had the good fortune to aim. In previous years, our representatives always failed to clear the qualifying hurdles. Mohammedan's presence in this year's final round shows our football is on an upward sloping curve.

All this is not to presume that we have forgotten all about the other nine clubs that are involved in the tournament! Far from it. Indeed it is their presence, as representatives of their respective countries, which gives the tournament the impressive weight and prestige it has.

The Asian Football Federation has shown, by agreeing to have the final leg of the tournament staged in Dhaka, a good deal of confidence on the Bangladesh Football Federation's ability to organise and host such a major event. For that, we are grateful to the AFF, and unashamedly proud of the BFF for being able to present the football-hungry people of this country the spectacle of Asia's finest battling it out for the continental crown.

Those of us who have to be satisfied with watching quality on television — English cup, Italian league, European championships etc. — now have a chance to savour some top grade competition among teams of higher than average standard nearer home.

As the tournament is being held at National Stadium No 1 (near Gulistan, if anyone has forgotten), a high turnout should be guaranteed, which would not have been the case had it been staged at No 2 (Mirpur, that is). Let us hope the tournament is as exciting as life around the ground is vibrant, and the visitors enjoy their stay as much as we will enjoy them being here.

'Affiliating University' Not Need of the Hour

by A K M Mokbul Islam

IN November, 1990, a project concept paper began its journey for establishment of two Affiliating Universities, one on the eastern side and the other on the western side of the river Jamuna. The exact sites, however, are yet to be determined.

This concept paper, it is said, is the result of an effort made earlier to persuade the then authorities for an initial administrative decision to establish two general Affiliating Universities, in principle, to

(1) check decadence of the standard of education at the Degree Colleges of Bangladesh;

(2) cause practical and meaningful improvement of college education in academic and administrative management;

(3) control and conduct examinations of affiliated colleges smoothly;

(4) constantly evaluate syllabus and curriculum and take measures as needed;

(5) improve qualitative standard of education through teachers' training.

It appears that from April, 1989, the work of the project started. An office-cum-residence was set up at Dhaka for the Project Adviser at a rent of Tk 26,000/- per month, and a sum of Tk 18.72 lakh was earmarked as rent for the said office-cum-residence for the next six years.

From the project concept paper it is learnt that the project will be completed at the end of the financial year 1994-95 at a cost of Tk 49.27 crore, including Tk 5.48 crore in foreign currency. The two Affiliating Universities will then start functioning from the financial year 1995-96, with a recurring expenditure of Tk 9.55 crore per annum, plus annual capital expenditure that will accrue and is yet to be determined.

The main objectives prescribed for the two Affiliating

Universities are some of the statutory objectives of the already existing three general universities, namely, Dhaka, Rajshahi and Chittagong.

For these purposes, the Dhaka, Rajshahi and Chittagong universities have necessary specialized manpower and the government gives funds for the task reposed to them. Why then we take away these basic functions of the three general universities and create another two Affiliating Universities duplicating the same functions? It appears that the two Affiliating Universities will have only two Deans and 10 Professors each but no teaching department or faculty. Without teaching departments and faculties how they will have academic and administrative control over hundreds of affiliated degree colleges, and develop and modernise the degree curricula and syllabuses?

We notice further that another objective of the said Affiliating Universities is to salvage the hundreds of degree colleges by improving the standard of education. This would really be a good venture. But will it be correct to begin, as is said, from the degree level first? Degree level is not the foundation. Should we not start from the foundation, that is, from the primary and secondary levels to achieve the desired goal?

Primary, Secondary Levels

What is the picture at primary and secondary levels? Many of the school teachers take recourse to private teaching outside the class rooms for the wards of a handful of well-to-do people. Consequently, regular teaching for general students in the class rooms is badly affected. So the majority of students are deprived of the benefit of right type of teaching in the class

rooms at schools.

In a situation like this, degree colleges cannot get out of it. Therefore, the majority of students who are going to the degree colleges for prosecuting higher studies through the current processes at the primary and secondary levels, are going with a poor educational background. On top of it, owing to absence of proper academic atmosphere on the campuses of higher learning and degradation in moral values, the desired results are not achieved. The truth that 'knowledge is power' is being replaced by the maxim 'might is right' on the college and university campuses. The educated do not get their due position in the society. Some people who have little respect for 'truth and justice' are sometimes getting more opportunities in life to establish themselves in the society.

Apparently, the society does not show any disregard towards them. This has gone deep into the minds of the students. This has also accelerated the tendency in the minds of the students as to how quickly to get the degree rather than gain knowledge. The honest, educated persons in the society are forced to become silent spectators of all such odds.

So in view of the facts and situations as explained above and side-tracking the universities of Dhaka, Rajshahi and Chittagong, whether the proposed two Affiliating Universities should crop up at an extra initial cost of Taka 49.27 crore plus an annual recurring cost of Tk 9.55 crore at this critical juncture of nation's history of higher education is a point to ponder seriously. And more so, because, no feasibility study has yet been made for establishment of the proposed Affiliating Universities. The planners

have to ensure that their effort, in the long run, are not destined to be a failure.

We know that a university, among the institutions of our society, is not only the most traditional, but also responsible for many changes in the history of civilization. It fulfills four missions namely, (1) teaching, (2) research, (3) extension and (4) achievement of democratic community, specifying those that should remain within the university and those that should be taken away by other institutions. With the idea of 'ivory tower' gone, the university is an institution that does not stand socially isolated now. But in the process of taking away some of the functions of the Dhaka, Rajshahi and Chittagong universities by the so called Affiliating Universities should we assume that the universities in Bangladesh 'may be in danger of losing its essential character and of becoming the pawn in a bitter struggle for power among social, economic and political forces which would capture and use it to their own ends' as pointed out by T R McConnell in his *Colleges and Universities as Agents of Social Change*.

On analysis of the functions of the universities world over, it is found that the four missions as stated above remain unchanged, while the university as an institution for social change will accommodate new functions into its fold, in the interest of the nation in particular and mankind in general.

Open University

Education, both on individual and national levels, is fundamental to any development. It improves the quality of life, helps the individual to achieve a better life and, the nation — a better civilization. One would generally agree that many of

our problems result, on the one hand, from illiteracy and, on the other, from poor or lack of proper education and training. A person cannot be trained well for his profession unless he is functionally literate. It is, therefore, high time to give attention towards 'distance education', for 'distance education', as envisaged, can really bring all-round national development in Bangladesh.

In a conventional system students come to the university, while in the 'open learning' system, the university goes to the students of age group ranging from 16 to 60 years. In the 'open learning' system, in other words, in a 'distance education' system, a university is without walls.

The conventional system of education although is very effective in an institutional set up, is 'undemocratic' considering the low proportion of those who can get a formal education against those who cannot. It is also quite expensive and is unable to cope with the magnitude of the problems of the masses. As a result, this has given birth to alternate model, conventionally called 'non-formal', 'open distance' or 'open education'. By the end of this century, it is not surprising that teaching in the world would be conducted by highly sophisticated media and 'distance education'.

The Open University has not come to replace or oust the conventional university or, indeed, to compete with it. This system of education is appropriate for solving the problems of illiteracy and for those who have inadequate resources and lack of educational opportunities. The Open University in Bangladesh would have more objectives into its fold, successfully developing into a non-formal counterpart of already existing formal universities: (i) to provide basic

education to the masses; (ii) to provide education to the people who cannot leave their jobs and homes; (iii) to provide vocational, technical and agricultural training, and (iv) to undertake researches concerning various educational problems.

Private University

Whose job is this to impart such education as to enable children to become good citizens when they attain manhood? There is no secret that the university through (i) teaching, (ii) research, (iii) extension and (iv) as a democratic community has in this century made so much progress and development for the benefit of mankind. In Bangladesh, there are nine State Universities. But these universities have problems like session jam, campus indiscipline, limited seats, financial insolvency etc. We know, the private universities in developed countries have played outstanding role for the benefit of the people and the state.

Therefore, to begin with, if one or two private universities are allowed to be established in Bangladesh now, presumably there is bound to be healthy competition between the existing state universities and the would be private universities. This will ultimately help ease admission of more students, eliminate session jam, minimise campus indiscipline and above all improve the standard of education in the existing state universities.

Therefore, in the larger interest of the country, the matters are for serious consideration of the planners at the national level as well as for the democratic government to see that steps are taken in the right direction.

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Zambia's President Approaches a Crossroads

Elias Nyakutemba writes from Mufulira

PRESIDENT Kenneth Kaunda is taking no chances that his country's October elections will be condemned as rigged: he has invited observers from the OAU, the UN, and Carter and Ford Foundations, the Commonwealth and the Non-Aligned Movement.

The elections are crucial for Zambia, and perhaps for Africa. They are aimed at restoring multi-party political activity to Zambia and they will determine whether Kaunda, who has led the country since independence in 1964, has a political future.

The elections will be the most significant test yet of Africa's swing away from one-party politics, and they will be watched carefully to see if a major transfer of power can be achieved peacefully — or at all.

At 67, Kaunda is as shrewd as ever. He has opponents for the presidency within his ruling United National Independence Party (UNIP), but observers in Zambia have little doubt that he will hold on to his leadership, which has been virtually unquestioned.

There are two main contenders within UNIP for his job. They are Kebby Musokotwane, a former prime minister who is currently high commissioner in Ottawa, and wealthy businessman Enock Kavindele, a member of the central committee.

Kavindele said recently: "There is no way anyone can stand against Kaunda unless he resigned and left the rough-and-tumble of modern politics to a younger candidate. The delegates are hand-picked and there is no way they can support someone else."

Kaunda retorted at a press conference: "Who says I'm old? Other president are over 67, so I'm still around until the economy improves."

Kaunda's most formidable political foe, however, is undoubtedly Frederick Chiluba, the trade unionist who leads the main opposition party, the Movement for Multiparty Democracy (MMD). Chiluba has emerged as a man of the people since his election to the MMD presidency in March, and there is now genuine doubt throughout Zambia as to whether Kaunda can defeat

Zambia is approaching what may be its most important-ever political decisions. An embattled President Kaunda is set to take on all opposition both within his party and at the general elections in October, which will see a return to multi-partyism. But Zambia's economy is faltering badly. Kaunda is torn between the need to woo votes to save his political life, and taking the decisions necessary to save the economy.

A dual test for Kaunda

Area: 753,000sq.km
Population: 7.8m
GNP (per capita) \$250
Life expectancy: 53

him at the polls. Kaunda says he will stay until the economy improves, but many in Zambia hold him directly responsible for the mess the economy is in. He has, after all, been in charge of it since independence. Currently, his fiscal reforms are off-course and he must defend a record of 27 years of repeated economic errors, corruption which has become entrenched, a striking drop in living standards in what was once one of Africa's most prosperous countries, and a questionable human rights record.

Just six months into the 1991 fiscal year, the budget deficit is \$1 billion as against

a projected \$1.2 billion for the entire year, and total external debt has soared to \$7 billion. Donor countries and the International Monetary Fund (IMF) are worried that Kaunda's Economic Adjustment Programme (EAP) is not on schedule.

The Paris Club group which pledged \$650 million for 1991 has not yet disbursed any of those funds, and the IMF, which has worked out a new aid package totalling \$1.3 billion between 1991-93, will not release any funds until the EAP measures are brought back into line.

To do that, Kaunda would have to scrap most food subsidies, which amount to K2.9

billion, scrap or tax heavily all housing allowances for civil servants, freeze further government expenditure outside the budget, and sack 30 per cent of the public sector work force and 15 per cent of the parastatal work force by 1993.

It is a recipe that could severely damage Kaunda's already waning popularity, yet delays in implementing the measures will mean delays in foreign aid disbursements, and Zambia needs these to keep its head above water.

In the meantime, inflation continues to hover at around 100 per cent, and the central bank chief, Jacques Bussièrès, has had to introduce a K100 banknote, to be followed by a K500 note, to make business transactions easier.

Bussièrès admits that severe pressures from rising prices, high wage bills and a rising budget deficit as well as reduced aid flows, have threatened to derail the EAP.

The newly-appointed finance minister, Rabson Chongo, has frozen all new public sector appointments and will offer 49 per cent of the state's shares in parastatal companies now.

In the lead-up to the October poll, Kaunda's home-fashioned philosophy called Humanism, which has been the country's guiding ethos, is being dropped, and the UNIP central committee's powers over various state institutions are being scrapped.

However, fiscal restraint in an election environment will be difficult when the four public service unions are dicker with the government for higher pay. Strikes by June had totalled over 10,000 man days. Food prices seem set to double since the government has increased producer prices of maize from K500 to K800 a bag, and fertiliser prices may rise by up to 175 per cent.

This is difficult territory for Kaunda. The last thing he needs is a repeat of last year's food riots.

There are other problems too. The Mvunga Constitutional Commission, appointed by Kaunda to work out proposals for the third republican constitution, was boycotted by opposition parties and they have rejected its report.

Kaunda has described the proposed constitutional reform as "truly a reflection of the people's will", but the opposition describes it as "a document that seeks to hijack democracy".

The measures would place the presidency beyond reach of parliament and allow for cabinet to be formed from non-elected people. It allows

for a costly two-tier national assembly and brings traditional rulers back into politics even though that proposal was rejected by the House of Chiefs and by majority opinion.

Observers believe that Kaunda may concede to demands to set the bill aside and pass a decree to enable the 1964 constitution to be the basis of the October poll.

In the meantime, Kaunda's election campaign has picked up. Over 100,000 people are reported to have attended his recent rally in Lusaka, and several rural chiefs have indicated their support for him.

UNIP's congress is to reconvene a younger generation which is calling for drastic changes, with the old guard of the party. If it fails to do so, its chances of winning the all-important election in October will be jeopardised.

—GEMINI NEWS
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OPINION

Age Limit for Judges

M A Mutaleb

Law Minister Mr Mirza Golam Hafiz introduced The Public Servants (Retirement) (Amendment) Bill 1991 in the Parliament on 7 July with a view to increase the age limit for retirement of District/Additional District Judges by three years.

The present age limit for retirement of District/Additional District Judges is 57 years and the amendment proposes to make it 60 years. The question has frequently been raised at what age judges should retire, but no one has yet succeeded in fixing an age limit for the judges. Mr Justice Oliver Wendell Holmes retired from the Bench of the Supreme Court of the USA at the great age of ninety-one.

When the matter was discussed before the King's Bench Commission in 1913, Lord Phillimore said: "Everyone knows that seventy-five is short of the capability for great judicial work. The work I do is so hard that if I were a younger man I could not do it." Lord Alverstone told the Commission that a judge's last ten years were his best years. Lord Chief Justice Hewart also gave evidence before the King's Bench Commission. The Chief Justice said: "I have no experience of age. I was caught young and was made a judge at 53, and I hope to go on for another 20 or 30 years. Take my friend, Mr Justice Avory. He is now, I think in his 84th year. He sits by my side day by day in Crown Paper Cases and in the Court of Criminal Appeal. I safely say, 'If in doubt, look it up in Mr Justice Avory.' Standards of senility are very different in

and out of the legal sphere; it is remarkable how judicial service so often seems to preserve the faculties, and there is much to be said for the view expressed once by Justice Patterson in summing up a case at Derby: "The next witness was Mary Wilson, a very pretty young woman which I dare say you remember, but possessing peculiar notions as to age, for you may recollect when asked to describe a man, she said he appeared as if getting old, and on being questioned by myself, as to when she thought a man was getting old, she actually said, 'at sixty-five'! Why, gentlemen, I am sixty-five and I declare to you I am a perfect chicken."

According to Article 96 of our Constitution, age limit for retirement of Supreme Court (including High Court Division) judges has been correctly fixed at 65 years. Some people say old age limits the functions of the brain and people become old at 50 or 57. This view is not correct at all. Longevity has increased all over the globe: 50 or 57 is no age nowadays. Subordinate court's judges' retirement age can safely be raised at 60 years. Being somewhat advanced in years, judges may become a bit physically weak but their mental faculties broaden with maturity and experience. The writer, who met judges of various countries including the judges of the International Court of Justice felt high admiration for judges in their advanced years with much experience.

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To the Editor...

VAT and its Impact

Sir, There has been a mixed reaction throughout the country over the proposed system of Value Added Tax (VAT). No-body can exactly predict whether the procedure of levying taxes under such a system will give a boost to our sluggish economy. Apparently, people are bemused and divided to draw a conclusion regarding the impact of VAT since the system is absolutely new in this country. The fear is high in as much as small traders are not exempted from the source (as they think) of it.

For the last few days, people are seen raising concerns in criticising VAT and its (if imaginary) consequences.

Even some veteran economists have failed to give an easily understandable concrete idea about VAT and its probable impact. What we feel is that if any system is not accepted by people, its result may rather be counter-productive on the part of the nation as a whole. The government may be correct to think of a viable way of levying taxes for economic but cannot be fruitful if introduced by force or pressure. Rather effective persuasion by logic is

necessary. Above all, the policy of the government as we know, is to maintain, stability of prices in the market to protect the majority of people who belong to the low income group. In reality, their sufferings are mounting for fear of proposed system of VAT as the prices of some essential commodities including edible oil and powdered milk have already registered a sharp rise which should not have been as per the new budget. Moreover, the traders are devising new ways to exploit the people on account of VAT.

cerns are on the brink of closure to avert VAT. This is not a welcome sign. For a poor nation like us, where employment figures prominently in policies, winding up of mills and factories for apprehension of a proposed system of taxation can never be appreciated.

I therefore, request the government to scrutinize the issue of VAT with reality and let the people heave a sigh of relief.

Atiqul Karim
Zigatala, Dhaka.

Besides, some small con-