

Withdraw the PSA

THE Public Safety (Special Provision) Amendment Bill which the Home Minister moved in the Parliament on Sunday and the oppositionless House promptly sent to the relevant standing committee for its scrutiny, sounds worse than the original Act. The fundamental safeguard against any abuse of the PSA which lay in section 13 (5) of the law is being dropped from the Act altogether. It provided for criminal prosecution against wilful lapses, or dereliction of duty or ineptitude on the part of any police official conducting investigation or initiating a case under the law. What is being prescribed now is a mere departmental action against the official concerned which trivialises the concern over the law, almost to a point of ridiculing it. It may lead to shielding an offending functionary, to say nothing of providing an opening for an excessive use of power by the police on top of other strong clauses like section 54 and those of the Special Powers Act being in the hands of the law enforcers. The real danger comes from the fact that with the deletion of the provision for criminal prosecution of wrongdoing police officials political abuse of the law will be indulged in, even openly encouraged.

When the Public Safety Bill was first brought to the fore by the government it met with instant public outcry, opposition criticism and stridency from the jurist community on the ground that it infringed on the fundamental rights of the people as embodied in our Constitution. The express fear was that it could be applied to satisfy political or personal vendetta. On the other hand, the government's selling point against all this was the provision for criminal prosecution of police officials found guilty of any abuse of the law. The proposed removal of that safety-valve basically confirms the widely held suspicion about the possible draconian use of the law. If we had regarded it as a dubious superfluity earlier on in view of the existence of the Penal Code which could take care of the offences sought to be combatted by the new law, it is now completely devoid of any *raison d'être* whatsoever after the amendment proposal. More so because this is not an amendment the President had visualised when he assented to the bill subject to an understanding that an ordinance would be passed to remove 'some objectionable' features of it. This amounts to a breach of commitment. The PSA better be withdrawn.

Crime Curve

THE Institute of Democratic Rights (IDR) figures on murder and rape across the country in March alone spell out a hard truth: the crime situation is bleaker than what the government wants to have us believe. Despite its much-publicised success in anti-crime operations the citizenry remain vulnerable as 260 murders, and 60 rapes in one month inspires anything but confidence in the government's ability to ensure safety and security for them. That the custodians of law, the police themselves have been implicated in a couple of rapes, two deaths in custody and the shooting of four to death render the situation even worse. The IDR report pegs on newspaper reports and information from its own sources, which means the actual figure, especially in the case of rape incidents, could be much higher; for, admittedly, so many such cases go unreported. The number of dowry-related deaths — suicides and murders, abductions and incidents of acid-throwing are no less staggering. Overall, the figures reflect an extremely unstable society.

The government is certainly blameworthy for the law and order failure. Much of it has to do with enforcement failure, not absence of law as the ruling party appeared so keen on establishing while pushing through the controversial Public Safety (Special Provision) Act in the parliament. Surely, the police are not performing on this count. Besides, deaths in custody, rape by officials and their customary highhandedness have put their credibility among public on the line. To top it off, excessive political interference, principally from the ruling party could weaken the police resolve to fight crime and terrorism.

The situation ultimately speaks of governance failure. Police excesses emanate from political indulgence and laxity. Our political leadership must lead the fight against crime. That first and foremost requires them to stand above partisan consideration and let the law take its own course. Otherwise, the crime curve will only go up.

Stop This Nuisance

THE losing panel in the BMA elections for Chittagong Chapter has taken recourse to agitation at the Chittagong Medical College Hospital premises. They have demanded cancellation of poll results indicating an ignominious defeat for the panel headed by Dr Qaderi-Siraj who is identified with the ruling Awami League. This panel lost all but three seats in the 22-member committee and hence the tension on the medical campus. The agitation took a violent turn when three internecine doctors were beaten up and three senior doctors' rooms at the hospital put under lock and key. The matter did not end there; bombs were thrown at the house of one of the senior doctors Saturday night and abusive language hurled at them over telephone allegedly by the losing party supporters. The political culture of smelling rat whenever anything goes against group interest seems to be percolating various service organisations which are supposed to be apolitical.

"Heads I win tails you lose" seems to be the order of the day. We feel the situation at Chittagong Medical College Hospital has escalated to a point where intervention of the higher authority will not be out of place. In the absence of three senior doctors from their posts the patients must be suffering despite claims to the contrary by the director of the hospital. We hope the health minister will take up the matter seriously and have disciplinary action initiated against the offenders.

Congress Still in the Dumps Sonia has a Long Way to Go...

Praful Bidwai writes from New Delhi

The Congress paid a huge price in the past for playing footsie with Hindutva. It would be suicidal for it to repeat that error. If it chooses secularism and rejects jingoism, it has a bright future. Or else, it becomes the BJP's "B" team.

LAST fortnight, the Indian National Congress suddenly got lucky, and then again, unlucky. From its decade-long wilderness in Bihar, it found itself bang inside the government. In Pondicherry too, it was catapulted into power.

But it emerged from the Rajya Sabha elections looking demoralised, if not mauled. The cross-voting in Uttar Pradesh, West Bengal and Orissa showed that the central leaders' writ does not run in the states.

In Bihar, the Congress did not split — largely because all its MLAs were offered ministerialships. Pondicherry highlighted the leadership's limitations starkly when its nominee P. Shanmugham was attacked by dissidents.

The Congress Rajya Sabha candidates' selection was clearly problematic, with senior, loyal leaders like Mr Sitaram Kesri being dropped. Even "social engineering" in favour of Dalit nominees, does not explain its rationale.

The only major gainers in the selection are Messrs Arjun Singh and V. George. If the objective of "social engineering" was to give a plebeian image to the Congress, then it was defeated by the nomination of wealthy industrialist R.P. Goenka and Mr Dasari Narayana Rao, a producer of sleazy films. This does not speak of balanced, mature, decision-making, but of irrational fear of (weak) political opponents.

Rather than give the party clear direction, Ms Gandhi is being guided by a small group. The dynamics of small *darbari* groups are different from those of "broad-canvas" politics involving social classes. Small-group dynamics are driven by inter-personal equations, access, and individual abilities.

Broad-politics dynamics have to do with social coalition-building. People who are good at one function may be poor at the other. Good leadership lies in recognising and tapping both.

If Ms Gandhi relies excessively on small groups, she won't grasp the three lessons which recent developments hold. First, the BJP is highly vulnerable on its RSS links. The RSS is its progenitor, ideological mentor and organisational controller. But the RSS link is also acutely embarrassing.

The RSS cannot live down its fascist ideology and organisation, its inspirational role behind Gandhi's assassination, or its venomous *Hindu rashtra* agenda.

A major democratic gain is that the Opposition and the NDA's "secular" parties forced the BJP to rescind the Gujarat order permitting employees to join the RSS. The Congress has gained in prestige by confronting the RSS. It must now pursue the *santhi* relentlessly on other issues — e.g. ICHR, curriculum revision, U.P.'s Places of Worship Bill, etc.

A second lesson: the Congress gains the most when it joins hands with other secular forces. Often, it is the others, especially the Left, which have the better arguments.

This means the Congress must give up the Pachmarhi ghost and stop deluding itself that the era of coalitions is only a "passing phase" and "we will come back again with full force and on our own steam".

Coalition politics has grown because of regionalisation and self-assertion of underprivileged groups which want direct

self-representation. The Congress is not about to return to power with "full force". It is undergoing slow, halting, revival, but the process is reversible.

The third lesson: the Congress's rejuvenation is only possible if it establishes an organic relationship with the people on the basis of their needs. Even Mr Kapil Sibal admits of a "dichotomy" between people and party. The middle class cannot be a substitute for the masses. For much of it, the BJP is already the preferred party.

The Congress must recognise that the "natural" centre of gravity of politics lies to its left. It cannot afford the luxury of elitist neo-liberal policies. It has rightly criticised the NDA for raising food prices by 70 per cent, and removing restrictions on imports of 1,429 commodities from the US, including jowar and bajra, which can ruin millions.

However, the Congress must enunciate its own economic agenda. Similarly, on non-alignment and nuclear disarmament, it must take a principled stand.

The Congress is under pressure to do the opposite. Some of its leaders capitulate to *Hindutva* temptations, or display a pro-Bomb orientation. An example is Mr Pranab Mukherjee's wrong statement that Ms Gandhi told President Clinton that the Congress wants a "minimum nuclear deterrent."

This is incompatible with the party's commitment to the 1988 Rajiv Gandhi disarmament plan and its opposition to nuclear deployment.

Hawkish but politically irrelevant "leaders" like Mr Mukherjee are distorting the Congress stand. This is an unflattering comment on the leadership. Earlier, the Congress criticised the nuclear tests. Now, it has diluted its stand by calling for "a consensus" on nuclear policy. This must change.

Equally serious is the attempt to get Ms Gandhi to pander to Hindu "religious" leaders. She met the Kanchi Shankaracharya in Delhi on March 10. This is said to be only one of many planned "interactions" with religious leaders "outside the BJP camp."

The Shankaracharya is no apolitical person "outside" the BJP camp. According to *The Times of India* (Mumbai, Feb 4), he supported Gujarat's decision on the RSS. The RSS (is) a patriotic organisation engaged in building character and inculcating discipline... RSS volunteers work diligently... He opposes religious conversions, and says these "would increase by leaps and bounds" if reservations are extended to non-Hindu Dalits.

This means the Congress is still unsure of itself. Not long ago, it said "Hindu tolerance" is "the best guarantor of secularism in India." But secularism is not religious tolerance. It means separating religion from politics.

The Congress paid a huge price in the past for playing footsie with *Hindutva*. It would be suicidal for it to repeat that error. If it chooses secularism and rejects jingoism, it has a bright future. Or else, it becomes the BJP's "B" team.

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Cleaning Politics in Thailand by EC

by Harun ur Rashid

The actions have ushered in a new era of Thai politics, in which the powers that have mocked the law are now in deep trouble. It will impel the political parties to seek paths of a cleaner election culture which appears to be a great victory for democracy and for the people of Thailand.

THAILAND'S politics is going through a cleansing operation by its Election Commission to root out corruption and vote-buying in elections. In less than two months two milestones in Thai democracy have been established signifying the most important developments in politics.

When Thailand elected a new political charter in 1997, there is a view that even the drafters of the new constitution never expected that in less than two-and-half years the setting up of the new state institutions to watch corruption in politics would be so effective in the country. Two institutions, the Election Commission and the National Counter Corruption Committee, have become extremely vigilant and bold in their actions in the murky politics of the country.

Politicians were required to declare assets prior to the poll and they lost little sleep over it because they assumed that the watchdogs would have a loud bark and not many teeth. The electorate was also sceptical of the new state watchdogs having any efficacy. The Thais hardly raised an eyebrow when campaigning for the first directly elected Senate, the candidates were involved in the usual mire of vote-buying and mud-slinging.

Initial results showed that the Senate, formerly regarded as a place for retired generals and senior government officials, was still a 'club' for the wives and the relatives of senior ministers and top civil servants. Most of the winning candidates in the Senate came from the well-heeled political elite of Thai society. But the Election Commission failed to endorse the victories of 78 candidates including those who were wives and sisters of three ministers and two former police chiefs.

There was widespread disbelief among the elite as to who could challenge the validity of the elections in respect to the elite of the society. These groups of people in the high society were "untouchables". This is for the first time the Election Commission came down with a heavy hand. The publishing of

the list of disqualified candidates, dubbed the "role of shame" by an incredulous media, is unprecedented in Thai election history.

The Election Commission has ordered new polls for 78 seats in 35 provinces on April 22. The Election Commission has declared that it will hold as many polls as necessary to ensure candidates win by fair means. This appears to be a tough stand for the Commission.

Hardly the news of the action of the Election Commission died down, the National Counter Corruption Committee indicted one of the most powerful men in the land for allegedly falsifying his assets. Deputy Prime Minister and Home Minister Mr. Sanan Kachornprasart, commonly known as "Mr Teflon" (no allegation sticks to him) for allegedly dodging all sorts of wrongdoings over the years, had to resign. This action is also unprecedented in Thai politics.

More surprises are expected with the corruption watchdog investigating another five cases. Media reports suggest that the biggest casualty could be Mr. Suthep Thaugsuban, the Minister of Transport, another powerful figure in the government. The senior politicians have never been brought to courts to answer corruption charges.

In the developing countries democratic traditions are often warped by influence and money. Politicians are allowed to take the advantage of the "culture" of vote-buying to win the elections and Thailand was no exception. The two Thai institutions clearly have the will, determination and the teeth to tackle corruption in high places.

These actions have ushered in a new era of Thai politics, in which the powers that have mocked the law are now in deep trouble. It will impel the political parties to seek paths of a cleaner election culture which appears to be a great victory for democracy and for the people of Thailand.

The author, a barrister, is former Ambassador to the UN in Europe, Geneva.

To the Editor...

Why not Bangladesh?

Sir, I would like to draw your attention to a report by Inam Ahmed on 26th March 2000, with the headline "Kibria's sky-high revenue ambitions tumble down: collection failure leads to Tk 2500 cr bank borrowing". In this context, I would like to mention the following:

The government has borrowed Tk. 13797 crore till December 1999, and from July to December 1999 the government has borrowed Tk. 2508 crore only (The DS). So in 29 years, the government has borrowed only Tk. 13797 crore for ADP.

As per the DS dated 1-3-2000, "half of India's budget money is paid as bank interest. India's present budget is US\$ 77.8 billion = US\$ 77.8 x 10 = Rupees 3.354x10 for the fiscal 2000-2001. Please note that India pays half of its money as bank interest, so actual loan is about 100 times of half of India's budget. It equates to 100x1.677x10 = Indian government has taken this bank loan for rapid development keeping the inflation low.

The US government has passed \$1.8T budget for fiscal 2000-2001. As per the DS dated 9.3.2000, US government has US\$5.7Tn loan. Since 1930 onwards, the US government has been taking loans from banks to keep the inflation low.

So, there is no problem in taking bank loan provided the inflation is controlled. Bangladesh government can borrow four times the annual budget from bank as loan for ADP like that of US and India.

A K M Khairul Anam Road-15 Banani Dhaka

No NAM?

Sir, Soon after the recent visit of the US President to Dhaka, excuses are being sought about Dhaka's inability, logistically, to hold the NAM summit due next year. NAM appears to have ceased to be a topical issue after the end of the cold war, and has become as unworkable as SAARC. Therefore, our government's keenness to hold the expensive summit in Dhaka raised quite a few eyebrows.

Bangladesh cannot manage its own fragile and nebulous politics, so it seems unpractical to sight high targets such as the NAM. It is not like conferring honorary degrees. Bangladesh cannot afford to be too ambitious.

A Husnain Dhaka

Problem in opening L/C

Sir, Recently the government has introduced a new system in opening Letter of Credit (L/C) for import and export. But the community of businessmen in Chittagong criticised this new system and marked it as an unequal step. Earlier the authorities used to send the L/C authorisation form (LCAF) to Bangladesh Bank Chittagong registration unit for its registration to open import/export L/C. During those days it took only one or two days to settle the necessary formalities. But in the new system, LCAF is required to send to Bangladesh Bank Dhaka branch instead of Chittagong. And these formalities take at least ten to twelve days to settle. In this way, though the importers of Dhaka can import their products in no time, the importers of Chittagong fail to compete with them.

In order to solve this crisis, we urge the authorities concerned to make necessary arrangements for the greater interest of the importers of Chittagong so that they can open L/C in due time.

Abu Gursel Siddiqui Senior Officer, AB Bank Ltd Chittagong.

Protect domestic industries

Sir, The DS issue of 24 March, 2000 reports that the Indians are putting obstacles on the way of Bangladesh garments and jute reaching the Indian buyers. This speaks highly of their concern to protect the domestic industries/growers. No doubt, it creates problem for us. But they have every right to look after their own interest. Indian consumers always prefer to go for Indian goods instead of the imported ones. That is called patriotism.

But what do we do? Almost all our commodities are imported. Our shop shelves are filled with Indian *chanachur*, Pakistani fruit juice, Malaysian biscuit etc. And we crave for these despite the availability of the local ones. We always go for the imported ones, allowing more and more foreign goods to acquire our market. I do not deny that our entrepreneurs have a lot to improve. But if we prefer buying foreign goods to the local ones, then how would our domestic industry improve?

A Citizen Dhaka

OPINION

Politics in Fragile Democracy

Pandit Putro

It is often said that democracy takes time to take roots and countries beginning to experience it must be patient and tolerant of the deviance, muddle, and chaos that characterize the teething period of democracy. Indeed, Bangladesh can be viewed as a test case of Third World democracy which has seen many trials and tribulations, hopes and shattered dreams, violence, opposition and compromises in its difficult march towards the system. After a period of unhappy encounter with praetorians, the country has, lately, experienced successive democratic governments of some sort during the last nine years. It is time to take a stock of the nature of the political institutions which are taking shape and their achievements during the period.

First, let's take a cryptic view of the institution of election and its contribution to choice of the citizens and possibility of alternative governments. Elections are today battlegrounds, no less violent than campus violence among the student parties when it takes place. All the major political parties have shamelessly nurtured and propped up their armed goons, whose arms and ammunition, often find ways to looters, hijackers and other criminal. The law and order situation has certainly witnessed rapid deterioration during our courtship with the two democratic governments, largely because systematic violence has been perpetrated as much by ruling elite, as by the leaders from the opposition parties. Given the nature of Magura elections during the BNP regime and subsequent Tangail elections in the current Awami League period, the office of the Election Commissioner is no longer viewed as neutral and effective, capable of reflecting the democratic choice of the people. Largely due to the availability of black money involved in electioneering, the elections are inevitably violent, crime-ridden. They happen to be far from free or fair, due to political meddling and administrative interference.

Creation of political chaos, rather than an atmosphere that would facilitate the exercise of democratic choice, has become the expedient route to seat of the government. The government in office must be paralysed through hartals, blockades, and shutdowns; country's economy must be damaged adequately,

and people made angry and helpless so that they vote for the opposition party that brews up the general state of lawlessness during many months preceding the elections. It is not the free choice, but fear and helplessness that decide the popular option between one party or the other. Qualitatively, there is little tangible difference between the ideological foundations or the form and quality of governance of the two major parties. Awami League displayed their unique ability and, so far, unparalleled stamina for organising countrywide hartals and, aware of the dividend these yielded, BNP is proving tenacious in emulating those tactics.

There is lately an outcry from the business elite for dialogue and compromise, but the top leadership to the two parties nurture nothing but naked hatred for one another and they display little respect for the much valued democratic norms like tolerance and accommodation that could help consolidate the fragile democratic institutions. The country must be held hostage for a fairly long period of time, the people must become bitter with the things as they would be during the hartals, and the economy and business must be hurt grievously, so that the organizers can cash in on the frustrations and helplessness of the people and, thus, enhance their prospects for taking over the reins of the government. The culture of hartal has become a unique Bangladeshi style of expression of dissent by opposition, despite the popular outcry against blockades, shutdowns, street attacks by hired tokais and musclemen of the political parties. The political leaders care little about public opinion about hartals and their impact on our fragile economy, and electorates have unwittingly rewarded the politicians with longest stamina for hartals.

Next is the role of parliament in consolidating a young democracy. During much of the time of both the governments, parliament remained ineffective due to absence of opposition party members. The parliament has not been allowed to play its due role in policy-making and, hence, the role of members of the parliament is marginal in Bangladeshi democracy. The citizens have a right to ask as to what service

the parliament along with its multitude of members (who are drawing salary from the government) and administrative staff is providing when it does not even debate important issues facing the policymakers? The members of parliament remain busy with personal embellishment rather than critically evaluating and overseeing the policies of the country. The quality of parliamentary debates, when they at all do take place, depict the precise quality of democracy that the country enjoys.

No wonder that the President of the country has urged the politicians to seek education so that they understand democracy and the propriety it demands before they could be deemed fit for public offices. The language, style, logic and the patience and emotions with which these debates are conducted generally depict the deplorable taste of the parliamentarians and, although there are some able and enlightened parliamentarians, there can be anything collectively respecting about this highest law-making chamber of the country. The country has reposed its trust in the parliamentary system. The Speaker and Leader of the House have not only shown indifference to the provisions of the Constitution, but also their inability to understand the basic stipulations of the Constitution as vivid from their stand on floor crossing of the members of the parliament. The functioning of the parliamentary system seems to flounder due to lack of understanding and sophistication of the political leaders.

Finally, a few remarks about the quality of governance in the country during the period under review. Press freedom has improved significantly, with large number of newspapers and journals portraying, fairly objectively, the state of affairs in the country. This, however, is no indicator of the accountability and transparency of either the government ministers or other important functionaries, who remain largely indifferent and callous to public criticism. Regular spades of violence and murder, rampant corruption and strong-arm practices of important functionaries, when publicised, receive deaf ears from the government. Major opposition stalwarts have been attacked brutally in public and this augurs poorly for the

democratic norms. The overall quality of governance has seen rapid deterioration with increasing politicization of administrative officials, police and other bodies. Political expediency and accompanying favours of promotion and appointment, not professional ethics, shape all bureaucratic behaviour and decision-making. Education, professionalism, integrity and honesty of the civil servants are sacrificed at the altar of whims and conveniences of political masters.

The concord of political lust and bureaucratic hunger for money and position, makes Bangladeshi democracy one of the most corrupt and seemingly incorrigible form of governance that is being used against the innocent masses in the country. Many slogans about the spirit of independence are hollow and are designed to make petty political gains. Both the government and the opposition know that the people have little choice, but to choose between the two equally corrupt and inefficient parties, each having rigid, undemocratic party structures and leadership styles which are not amenable to easy changes. Top leaders are not the leaders chosen for quality and character, but are leaders thrust on the helpless people on their tragic soil, sallyed by power play, greed and machination, militarism and political murders that haunt the Bangladeshi democracy.

Nine years on road to democracy, the muddle and confusion, corruption and violence are too much for the innocent people to bear. The capital city suffocates in traffic jam, the sheer scale of unemployment of violence in society at large remind of medieval tribal life that is fast engulfing the district towns and *mufassil* areas. The local administration and party *mastans* work in tandem in these areas and frustrate most of the development activities and programmes for social change. Politicians, both local and national, are not prepared to see beyond their noses and listen to the wake-up calls that the ailing democracy is signalling to them. Third World democracy can easily degenerate to serve the ego of second rate demagogues, full of sound and fury signifying "corruption and misdeeds" of popularly elected Third World regimes that political scientists call "new authoritarianism" and which now, in Bangladeshi scenario, foments chaos and lawlessness in garb of democracy.

The writer is a retired civil servant.