

## Fatalities increasing on roads and railways

*Law enforcement key to providing safety to travelling public*

As if to jar the government into preventive action, two lethal accidents occurred around the same place in Tangail taking a toll of 35 lives and injuring 80 persons within a matter of four days.

In the first tragedy, an onrushing bus was rammed by an intercity train speeding in. The railway authorities were to blame for faulty signalling and lack of adequate precaution against human error as the guard could not lower the bar at the level crossing since he had fallen asleep. In the second accident, a speeding bus, run by an allegedly drowsy driver, skidded off the road to smash on the rail line. Here we would like to put the blame on the BRTA or the transport owner for the fact that a mentally unsound driver was at the wheels, perhaps with a licence, both for himself and his ramshackle vehicle.

Aside from the railways or the road transport authority drawing legitimate criticism for their inefficiency, callousness and corruption, there is the overarching cause behind such accidents in the absence of anything by way of law enforcement. The overloaded buses were invariably over-speeding with no one among the police around to stop them from their costly misadventures with human lives. For all we know, a highway police force was conceived and some of its squads put in place a few years ago with great fanfare and promises held out for security on the road. Some expensive vehicles were also purchased and inducted for high police officials. The highway police has had no separate budget; it had to depend on district police headquarters for financial purposes.

Given the growing sense of danger the travelling public face to their lives and limbs, we urge the caretaker government to get a move on. They must organise the highway police force on strong and sustainable foundations as a self-contained authority to deal with crimes and accidents. They should be well-equipped and properly trained to deliver the goods, expected of highway police in today's world.

## Worsening diarrhoea situation

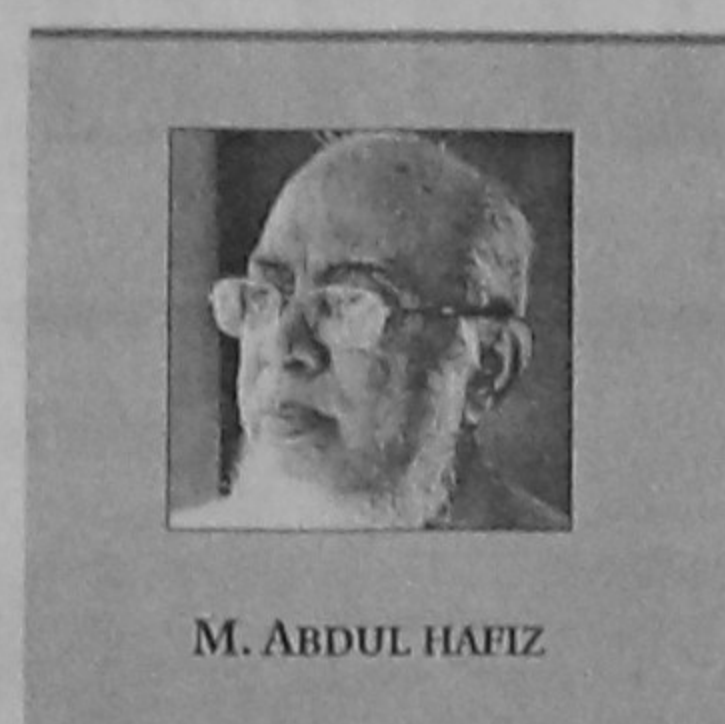
*Ensure fresh water supply*

It is disconcerting that the number of Diarrhoea cases is increasing in the city with the admission of 416 patients on Saturday at ICDDR,B hospital at Mahakhali, Dhaka. And the alarming news is, hospital doctors think the number would further increase in the month of May. Reportedly, most patients belong to the lower income groups who are in the habit of drinking water from the roadside food stalls to beat the extreme hot and humid weather. Health experts believe the water is highly contaminated and remains the major source of the disease. Stale and uncovered food on the roadside is another possible source that also needs to be taken into cognizance by the health authorities. In this context, we believe drastic measures should be taken to first, treat the patients and second, identify all the sources from where the bacteria find their way to human food and water chain and seal them permanently to avoid further contamination.

There is much to talk about the poor quality water that WASA offers the citizens to drink on a daily basis. In many parts of the city WASA water pipes get corroded and thus allow underground sewage to sip into the pipes. In the rural areas, a large segment of the population still consumes contaminated water from rivers or ponds taking risks on their health. The bacteria from such sources not only cause diarrhoea but typhoid and jaundice as well. This is a serious health hazard that the relevant authorities must address at the earliest.

As for the worsening diarrhoea situation in the city, one way to handle it is early detection and reporting of the cases to the hospitals to minimise threat to life. The local government health workers in collaboration with the NGOs can play an effective role by being proactive in identifying cases of diarrhoea and administering simple measures like oral saline. We believe, all government hospitals should be equipped with extra bed and medicine to admit and treat diarrhoea patients so that simple cases don't get referred to ICDDR,B. The health ministry and NGOs could consider launching massive awareness campaign across the country at such critical times.

## Beware of the charlatans!



M. ABDUL HAFIZ

FIFTEEN months ago, when the present dispensation assumed power, it was a dazzling team of experts. The people felt relieved by the government's anti-graft operations and other activities. It had its initial impact and earned some laurels. The electoral reforms were undertaken as per public demand. But when the political parties were asked to reform themselves, there were reservations and split opinions within them in the backdrop of arrest of party members, including the top leaders.

The question of reforms has

**PERSPECTIVES**

Our people possess considerable gumption, and with their collective wisdom a far better result can be obtained. Any involvement of the merchants of delusions and shenanigans should be shunned. It's already a positive sign that the government has started its dialogue with the politicians the real stakeholders in the issue. By widening its scope at a later stage, the desired changes in our political ethos can hopefully be effected. Meantime, let's keep our fingers crossed as to a successful outcome of the ongoing dialogue.

led to a deep schism within the BNP and created strain in the AL, although the latter still remains in one piece. In the meantime, the government's credibility was somewhat dented when it stumbled with regard to some hard issues, like the scarcity of rice and other food stuff as well as their spiralling prices.

Amid a mixed bag garnered by the interim government, the charlatans seem to be enjoying a field day, and have muddled the water.

Power centres are always surrounded by political hopefuls,

and their corridors crowded by sycophants and hangers-on. The flunkies and toadies never tire of pursuing their occupation that of grabbing the scraps and ensuring a share in political spoils.

Each regime produces its own beneficiaries, who, as a matter of privilege, rule the roost along with their benefactors.

Our two spells of military and quasi-military rule threw up quite a lot of them. We are yet to cleanse the society of those parasites, and the process of ensuring transition to a "reformed" polity might produce more of them.

While they are active in the field, the new hopefuls are readying themselves to join the fray on a new political turf. Whether in academia, judiciary or civil society, there are spin-doctors with familiar faces who have been unmistakably hawking ideas favoured by power centres. They are at it once again, with the hope of going a few notches up in their standing.

Always dressed in classy suits, they deliver bunkum at especially arranged gatherings at exclusive places. Don't try to know how are they arranged. The moot point is

to promote the ideas. They are usually found to be hanging around hotel lobbies obsequiously, with the hope of being spotted.

They are shysters, dealmakers and commission agents out to make a quick buck. It will be a tragedy if we take them to be architects of our future!

These power peddlers, or ones jockeying for power, have antennae so sensitive that they would put cockroaches to shame. They know exactly who is worth what in terms of deal making or power equations, who is worth giving attention to and who deserves a cold shoulder. This self-serving lot is as dangerous as our failed politicians, when we intend to upgrade politics to responsible statecraft.

Those who hold the sceptre ought to be aware of these species, who have the tenacity to survive in the most insubstantial atmosphere. The vultures are hovering in our political firmament for a bite at the bait held out. We are pretty well familiar with their greed and trickery. It

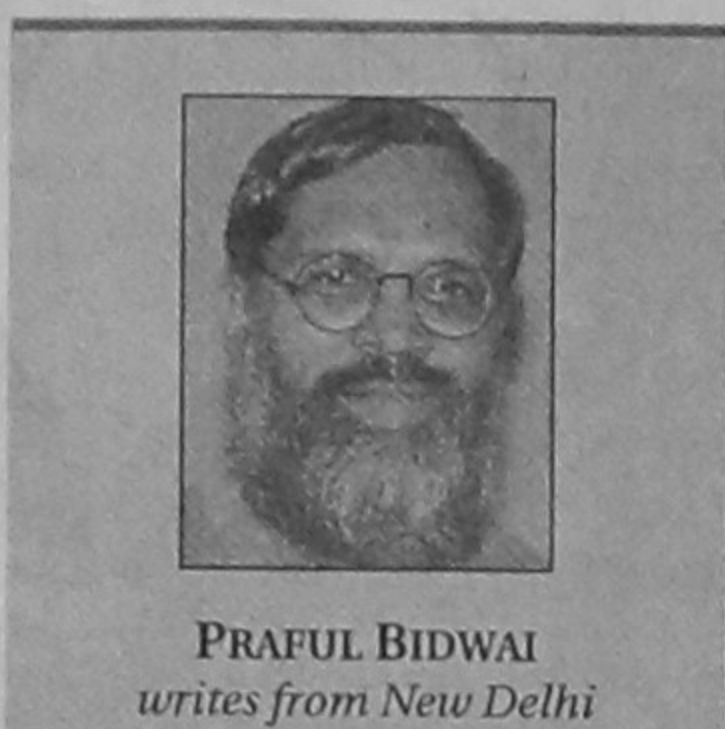
will be an achievement, per se, if only they can be denied space, both in our politics and in the political reforms process.

The basic premises of a polity already built can seldom be re-defined, but we can always redesign its architecture but not with the help of pseudo-experts volunteering to do so, whether he is a political scientist, a legal luminary or a celebrity of our civil society.

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Brig (ret'd) Hafiz is former DG of BISS.

## A victory for the politics of inclusion



PRAFUL BIDWAI  
writes from New Delhi

THE Supreme Court of India has struck a blow for affirmative action in favour of the socially disadvantaged through its judgment on 27 per cent quotas in admissions to central institutions of higher education for the Other Backward Classes (OBCs), or lower and middle social strata.

The landmark judgment upholds the 93rd Constitutional Amendment under which the Central Educational Institutions (Reservations in Admissions) Act 2006 (CEI Act) was passed. This allows the government to institute OBC quotas in central universities, elite technology and management schools, and other institutions.

The court accepted caste as the fundamental, but not the sole, criterion of backwardness. In doing so, it recognised caste as the central axis around which discrimination occurs in Indian society. In keeping with Article 30 of the constitution, it also exempted religious-minority institutions from quotas.

The 5-member Bench delivered four separate judgments. But the verdict's basic thrust is unambiguously against discrimination, and for equal opportunity. The only contention by the petitioners it accepted is that the so-called "creamy layer," or relatively affluent/educated subgroup among OBCs, be excluded from quotas.

The court has resoundingly reaffirmed the constitutional value of inclusion and facilitated the entry of OBCs in higher-learning institutions and thereby, the professions, in which they're

## THE PRAFUL BIDWAI COLUMN

The quota verdict vindicates the UPA government's advocacy of social inclusion. It should draw some big lessons from it. The CEI Act was part of an initiative to defy the pressure of the market forces and "normal" processes of social discrimination, and put politics in command. This is of a piece with the UPA's other progressive measures like the National Rural Employment Guarantee Act, which too bypass "normal" processes to promote democratic inclusion. The UPA should take forward the politics-in-command agenda.



Engraved in stone... In life?

badly underrepresented.

The verdict sets out a clear norm for the future of society. It rejects the idea of equality as the equal treatment of groups who are unequally situated and have unequal access to opportunity.

Instead, it recognises that there are entrenched inequalities, based on birth, which produce and reproduce inequalities of status and life-chances at all levels a situation of cascading inequities.

OBC reservations will facilitate the equality of results/outcomes and make for a society based on caring and sharing.

Loath to lose privilege, the upper castes resented the CEI Act

although it provided for a 54 per cent increase in the capacity of educational institutions and thus preserved their access to them. But the "twice-born" wanted to corner the additional capacity too.

The petitioners sanctimoniously cited the misery of out-of-school children, the necessity of universal elementary education, and above all, "merit."

The implicit assumption is that the low castes don't deserve higher education; they must be satisfied with primary schooling and the menial or clerical jobs this can yield. Society has no obligation to create opportunities for the disadvantaged. This

violates the principle of inclusion.

The petitioners also argued that caste couldn't be a criterion of backwardness because the constitution mandates the creation of a casteless, classless society. The constitution does outlaw untouchability, and seeks to abolish caste-based discrimination.

Yet, caste cannot be abolished by legal fiat. That needs radical social reform. What the law can do is bring disadvantaged groups "to the forefront of civil life."

However, as Chief Justice K. Balakrishnan clarified in his judgment, the identification of Backward Classes "is not done

solely based on caste." Other parameters are followed too, including "poverty, social backwardness, economic backwardness," etc.

The judges were even more forceful in rejecting the petitioners' argument that the CEI Act was intended to be a "vote-catching mechanism."

The main dissenting judgment was delivered by Justice Dalveer Bhandari, who ruled that an OBC would cease to be "backward" when s/he graduates, and the 93rd Amendment would become invalid if extended to private institutions. His verdict is at a tangent. The others maintained silence on quotas in private institutions, which weren't specifically challenged.

Logically, under the 93rd Amendment, reservations should be extended to private educational institutions too. It's here that 80 per cent of all seats in engineering and medical courses are located. They are sold to the relatively affluent for "capitation fees" and donations. That's where the struggle for a fair distribution of national resources lies.

The government apparently wants to do this in phases, and must be strongly supported. If there's a legal challenge to such extension, it must be resoundingly defeated.

The judgment should help raise the level of debate on "merit" in hierarchical societies. The merit argument is especially suspect in societies, which allow inheritance of private property.

Such privileges related to birth largely determine one's social position. Inheritance means that the affluent are at a vastly higher starting-point in relation to the disadvantaged.

Merit makes sense only when it measures the distance between the starting-point and the end-point. Most upper-caste people enjoy unfair advantage over OBCs primarily because of their starting-point.

The single "objective test" usually employed in competitive exams is a disputable criterion of

merit. One's score in it often depends upon familiarity with the type of questions asked and time management, not comprehension.

Merit can only have a limited place in a public-oriented policy of recruitment. Gender, ethnic-regional balance, and diversity are also relevant.

A person born in a highly educated upper-caste family will have a totally different universe of knowledge, social contacts and elite acceptability and information about the availability of study courses, colleges, tutorial institutions, career options, etc. S/he can always call "Uncle" so-and-so in different professions for tips.

Typically, such advantage outweighs even differences of wealth/income. Past discrimination continues to produce inequality of opportunity even when there's no discrimination at present. The critical question is how to level the playing field.

Affirmative action is the solution. AA can include voluntary targets for recruitment of disadvantaged groups, special counselling and training, non-quantitative diversity promotion, etc.

Reservations, admittedly, are a rather blunt instrument, but politically, almost the only one available in India.

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Praful Bidwai is an eminent Indian columnist.

## The Democrats' wimp factor

As Clinton said helpfully during the debate, "It goes to this larger set of concerns about how we are going to run against John McCain." She's right, but her fears are self-fulfilling. The more damage she does to Obama, the harder it will be for him to take the offensive against a bona fide patriot and war hero like McCain. Safer just to talk about the economy and health care.

MICHAEL HIRSH

THE specter of John Kerry in 2004 is beginning to haunt the Democrats in 2008. It is the specter of wimpy campaigns past. It showed up, like Banquo's ghost, at the debate Wednesday night in Philadelphia, particularly when Hillary Clinton joined with ABC's George Stephanopoulos and Charlie Gibson to nip away at the edges of Barack Obama's patriotism.

Between the questions about Obama's meager association with William Ayers, a former Weatherman, and the suspicions raised by his lack of a flag lapel pin,

the likely nominee is slowly being turned into John Kerry.

He is becoming, in other words, a candidate who may be mostly right about national security but who will lack the Red State street cred to carry his point and the election.

Once again timorous Democratic advisers behind the scenes are hoping they can run mainly on the ailing economy. While their candidates are urging an end to George W. Bush's war in Iraq, they are terrified of questioning the larger premises of his "war on terror" or John McCain's redefinition of it as the "transcendent challenge of the 21st century."

Today's Dems are, in other

words, proving unequal to the task of reclaiming the party's mostly honourable heritage on national security. This view is sadly out of touch, today more than ever.

To little notice, Obama's tough, clearly stated position on Bush's war that it was disastrously misdirected toward Iraq when Afghanistan was always the real front is becoming conventional wisdom, even among the Bush administration's top security officials, like Defense Secretary Bob Gates and Adm. Mike Mullen, the chairman of the Joint Chiefs.

During two days of nearly impenetrable testimony on Iraq by Gen. David Petraeus and

Ambassador Ryan Crocker last week, one answer rang out as clearly as an alarm bell.

Under questioning from Joe Biden, the chairman of the Senate Foreign Relations Committee, Crocker admitted that Al Qaeda poses a greater threat in Afghanistan and Pakistan than it does in Iraq.

No one knows more about this than the ambassador, an Arabic-speaking diplomat who previously served as envoy to Pakistan and whose career practically tells the story of America and the age of terror going back to the 1983 bombings of the US Embassy and Marine barracks in Beirut.

Yet the region that poses America's number one threat is getting little in attention and resources compared to Iraq. What Obama is arguing on the stump is pretty close to what Gates and the Joint Chiefs have been quietly hearing from their military advisers: that the best the United States

can do with its scant Nato force of 37,000 in Afghanistan is to hold off the resurgent Taliban and their al Qaeda guests in a stalemate.

Under current conditions Osama bin Laden and his deputy, Ayman al-Zawahiri, the chief culprits of 9/11, will continue to have plenty of room to roam, unharmed by any large-scale US or Pakistani effort to go after them.

This is even truer today; next door to Afghanistan, Pakistan is transitioning into a post-Musharraf era and seeking to negotiate more with the extremists. Obama called last year for two additional brigades to be sent to Afghanistan, and last week he was joined by Biden, who told an audience at Georgetown University that "the longer we stay in Iraq, the more we put off the day when we fully join the fight against the real al Qaeda threat and finally defeat those who attacked America seven years ago."

Biden added that Gen. Dan

McNeil, commander of the international force in Afghanistan, told him during a visit in February "that with two extra combat brigades about 10,000 soldiers he could turn around the security situation in the south, where the Taliban is on move. But he can't get them because of Iraq." Even Hillary Clinton has been tacking, very quietly, in Obama's direction.

No one, in other words, has a better case to make on national security right now than Barack Obama. John McCain is still out there contending that Iraq is the central battlefield and quoting Osama bin Laden favorably to justify his argument (not to mention mixing up Shiites and Sunnis).

Under normal conditions this position might saddle McCain with a real "vulnerability" to use a term the Dems like to employ about themselves but it doesn't seem to hurt him much now.

The Democrats are too afraid of his all-American "story," as Hillary

put it. John Kerry, a winner of the Silver Star in Vietnam, spent most of his 2004 campaign defending himself against vague suggestions of treason based on his antiwar testimony in 1971, when as a young officer returning from Vietnam he asked, penetratingly and relevantly for today, "How do you ask a man to be the last man to die for a mistake?"

Obama is being placed on the defensive on flimsy grounds as well, and there he's likely to stay, rendered permanently suspicious by association thanks to questions about Ayers and the "anti-American" statements of his pastor, Jeremiah Wright.

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Insecurity over national security has been eating at the Democrats ever since Vietnam destroyed the party's proud self-image, which was forged by FDR, Truman and JFK in World War II and the early years of cold war containment (both Democratic success stories). Obama, by most accounts, is confident of his ability to reclaim this grand tradition.

"Of all people I've dealt with on foreign policy issues, this guy takes it like a duck to water," one of his top advisers, Greg Craig, a former State Department policy planning chief, told me recently.

But the party's peculiar pathology could yet drag Obama down. He's getting Kerryized. At a time when he should be taking on John McCain, he's being forced to talk about lapel pins.

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