

# Black money and PPR: The connection and moral

A "yes" for AL was more of a "no" for "BNP's corruption" If the ruling party does not appreciate enough this message of the electorate from the very onset, it is only a matter of time before the fortune reverses. The greatest lesson of history is that we don't learn enough from history.

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THE most talked about issue in the budget is the "whitening of the black money." It is rather unfortunate that such an immoral issue is still being debated instead of this idea being rejected by the government when this was originally conceived.

Under this proposition, an honest taxpayer who toils hard to earn and then pays tax, is treated worse than a dishonest citizen who hides income and does not pay tax. So the message is: make your illegal money, hide it at your convenience, wait for an opportune moment, pay nominal tax, and have your money and conscience whitened. Can this be a recipe for good governance and accountability?

One of the positive aspects of this budget is that it is by an elected democratic government as opposed to the budgets of the last two years by a caretaker government with no political mandate or accountability to any electorate.

AL is bound by its election manifesto in which fight against corruption was

declared one of the major political commitments. The much talked about, "deen bodoler shonod" or "manifesto for change" will remain more in paper, if in reality actions send opposite signals. Hence, the argument of credibility and morality should weigh in more for the government than arguments built on economic reasoning, which in itself is flawed.

Both the finance minister and the PM's adviser for finance and planning are well known for their competency and integrity, and it indeed would be unfortunate if such policies were adopted when they are at the helm of affairs.

The negative effects resulting from the corrosive moral aspect of black money offsets whatever positives may be expected from this exercise. One of the arguments in favour of black money is that the world is in a recession and private investment is short in supply. Hence, we need to open a conduit for investment where this whitened black money will stimulate growth and generate employment.

To draw a simple analogy, a better argument would have been, "my father is poor and can't pay for my education and hence stealing from a neighbour to finance my schooling is cool!" or "my wife is in the hospital and my school-going son without any income pays the medical bills, and as a poor husband and father why should I care to ask from where my son got the money?" if end justifies the means -- who cares?

When people are encouraged to pay tax, the message from the government to citizens is something like, "We need this contribution from you to help the state serve you well." Why would a law abiding citizen feel morally obligated to pay tax if s/he sees that people who have not paid tax are far better off both in the short and long run?

Isn't it better to hide money, with time let it grow in silence and obscurity, and then reveal it when the time is ripe? This way, one can pay 10% on this hidden money as opposed to a regular taxpayer who can end up paying as much as 25% on his duly disclosed income.

So the morally bankrupt, but filthily rich, has more money to buy a posh apartment than an honest taxpayer from middle class who is struggling to finance his/her children's education. Under these circumstances, does the government have the moral right to expect an honest taxpayer to be compliant or a non-taxpayer to enrol himself/herself as a taxpayer? Can the tax net be expanded by encouraging people to become taxpayers when in reality tax

dodgers are rewarded more than taxpayers?

The proposed modifications in Public Procurement Regulations (PPR) has already raised concern, even within the donor community. For those unfamiliar with PPR, it is a set of rules and regulations to ensure transparency in the process through which government purchases goods and services.

The intention is to check corruption and unfairness -- particularly based on undue political influence. If some form of lottery is introduced or projects of an amount as significant as Taka two crore can be awarded without fair competitive bidding -- it in itself is enough to inject seeds of corruption into the public procurement system.

Even if we accept the argument that some entities without prior experience should have opportunity to compete and win projects, other set of even-handed rules can be plugged in so that inexperienced firms also have the scope to compete with experienced firms. But the proposed arbitrary provision of awarding projects can very legitimately be perceived as another new conduit to make black money through undeclared commissions and undiscovered bribes.

The modified PPR creates an opportunity to make such black money and then whiten them within the declared three-year period of immunity. The connection between the two is obvious and ominous.

The AL should start listening to its MPs



Turning black money white -- how effective will it be?

like the former Home Minister Major (Rtd) Rafiqul Islam who has rightly pointed out the constitutional invalidity of such a proposition. If this is challenged in court, it is not likely to prevail and will further embarrass the government. Given the massive mandate the AL has received, from the very beginning, it should be sensitive to high expectations that people have from it.

It is well known that a significant portion of people's verdict in favour of AL was more of rejection of BNP led alliance's

endemic corruption of five years. Hence, a "yes" for AL was more of a "no" for "BNP's corruption." If the ruling party does not appreciate this message from the very onset, it is only a matter of time before fortune reverses and they are on the receiving end of people's punishment meted out in polling stations next time around. The greatest lesson of history is that we don't learn enough from history.

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# Fatwa is a crime, not a method of justice

But surpassing all these macabre incidents of sexual abuses what is most alarming are the edicts issued by some self-styled religious leaders that pin the rape victims and subject them to trauma and inhuman punishment like by lashing them in public.

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IT sears the conscience. Beyond that there is a general sense of alarm across the country aroused by a recent spurt in ghoulish crimes as rape, abduction, extortion and murder. If we are alarmed at the increasing incidence of macabre crime in the capital city or other big cities, the situation is no less frightening, rather worse in small towns and villages where these are perpetrated by groups of deviant youths with the influence of affluent and politically inspired godfathers.

But surpassing all these macabre incidents of sexual abuses what is most alarming are the edicts issued by some self-styled religious leaders that pin the rape victims and subject them to trauma and inhuman punishment like by lashing them in public. Tragically, the male perpetrator is allowed to go scot-free without even being asked to be present in such an arbitration council meeting to prove his innocence.

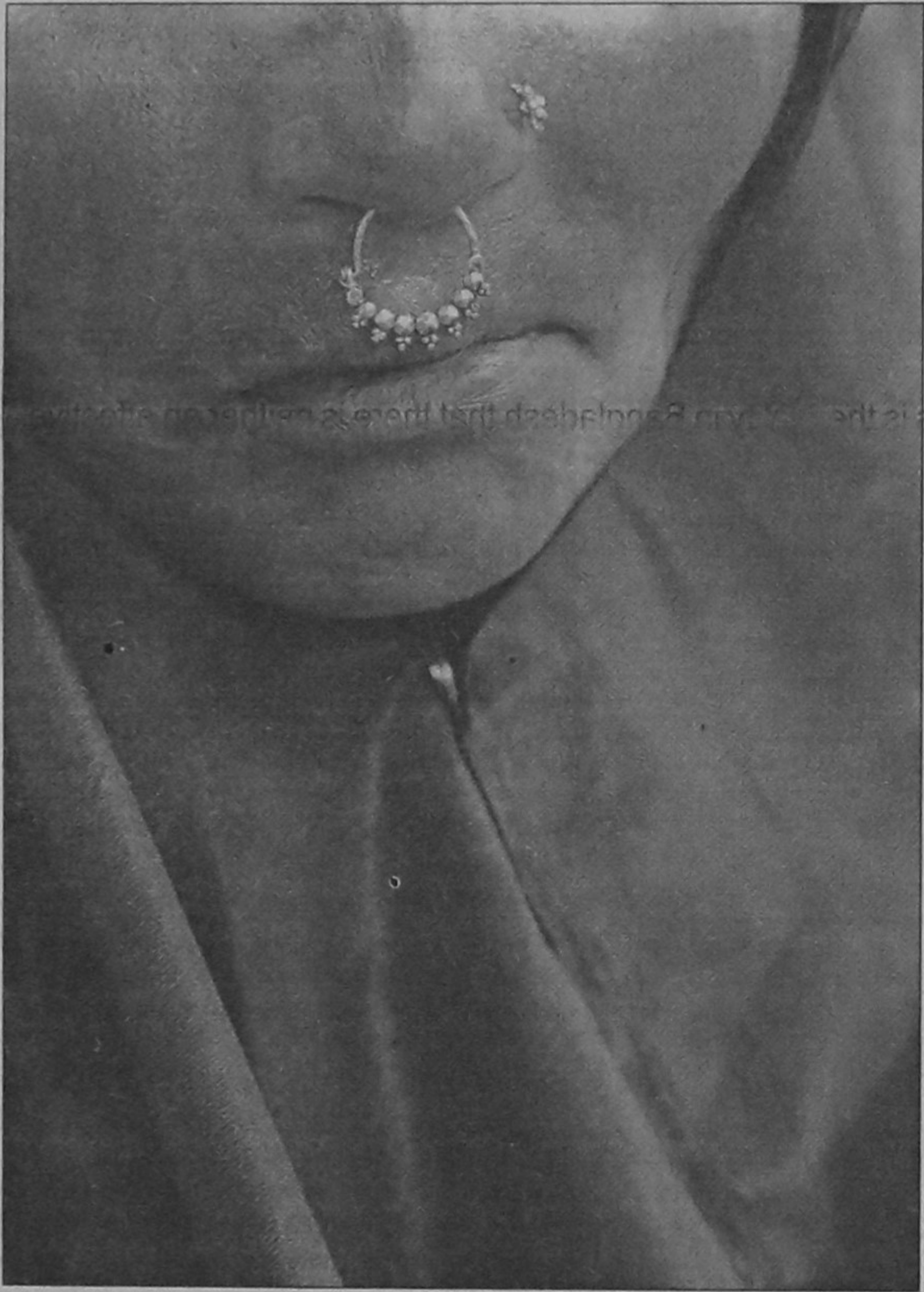
It is hard to comprehend the anger, jealousy or plain sadism that can drive these so-called religious leaders to pronounce such judgments without the sanction of the State. During the last one month as newspaper reports indicated at least four women in different places in the country were given *dorra* punishment for sex-related offences.

The latest incident of handing a fatwa to a girl of 101 lashings and her mother with 50 lashings that took place on June 10 last in the Char Kakra village of

Companyganj thana in the greater Noakhali district is an act of savagery that defies all sensibility and rationality, let alone the Islamic code of conduct.

It was learnt from an article in Prothom Alo that in Mehmanshahi village in Raiganj upazila of the Sirajganj district, a young woman was raped by an influential village *matobbor* with high political connections and he was caught red-handed by a group of villagers. But some over-zealous community leaders freed him from their confinement assuring them of a fair trial and punishment of the offender. Finding no remedy of the humiliation and stigma the woman suffered, she filed a case in the local thana. Instead of getting justice the arbitration meeting passed a verdict of giving 100 lashes to the victim along with a fine of ten thousand taka. The punishment was inflicted on her in the presence of the members sitting for the arbitration with further warning to oust her from the village unless she withdrew the case from the thana.

The spurt of atrocities on women for offences termed 'sexual offences' by self-righteous moral police is very alarming. Nevertheless these sorts of fiendish crimes perpetrated with increasing frequency have threatened to knock the rock bottom of our civil society. Crimes and criminality exist in every society but sexual violations of women and even minors and patronage of the offenders by a section of influential persons manifests a sort of depravity which unless checked immediately will tear apart the entire social fabric.



Imposing a fatwa judgement on a person is a violation of his/her fundamental right.

What is further disturbing is that such crimes have a tendency to catch on. These crimes with such alarming frequency

prove that a sizable section of the society is being fast criminalised. It is not very unnatural in our country that every time

such dastardly acts of sexual assault take place, people are naturally outraged and loud protests are voiced by all, especially by the human rights activists. But as it often happens when the alleged offenders, either the criminals themselves or their patrons go away with impunity, the perpetrators of crime feel emboldened to commit crimes of greater enormity.

The law enforcers' reluctance and indifferent attitude to tackle such crimes make the situation worse. In many cases, as it has been observed, after a review of the past records, the policemen themselves are to blame. In the gang rape case in Daulatpur upazila that ultimately led to the suicidal death of Ranjana, the O.C of the Daulatpur Police Station expressed his ignorance of the incident and could not say why Ranjana was buried without autopsy. In the Raiganj sexual abuse case and subsequent lashing of the rape victim through village *matobbor's* arbitration, the O.C of the local thana expressed his ignorance about the incident. The paternity claim of the rape victim's baby at Daudkandi on May 21 last, in the greater Comilla district was dismissed by a lashing order issued by a Dhaka-based Imam commissioned there to give expert opinion and verdict. Neither the Imam nor the local *matobbor*s made any attempt to verify the truth in the victim's complaint. The authenticity of the claim could be easily ascertained by performing a DNA test but unfortunately the abuser was allowed to go scot-free.

Ultimately the Prime Minister had to intervene to rescue the woman from the clutches of these self-styled community leaders. No Islamic law prescribes such queer dispensation of justice that punishes the victim and glorifies the offender. Even the victim's father was lashed as he protested against this unjust verdict by the community leaders. All these inci-

dents and resultant sufferings have exposed the sordid side of police action as well as community leaders' legal standing and domain of trying offences of these nature. 'Dreadful lapses by the law enforcers are becoming an alarming trend. Policing in the country is falling apart, ridden as it is by a colonial, lop-sided structure, an over-worked, corrupt and stressed constabulary with rock bottom morale. Crime graphs are no indication, thanks to unreported crimes and suppressed cases.

In our country, as anyone has seen time and again, a rape victim's real weakness is forced on her again and again. It begins with the humiliation at the hands of the rapist, and then a tortuous and shameful journey that the neighborhood, police and finally the law subject her to. The protectors of law rape the law when they put a rape victim to shame by their machinations or more precisely character assassinations of the victim at different stages of case framing.

Rape is more than just rape. The blame of the crime is pinned on the victim and the attitude of all members of the society to rape victims is very cold. Men are trying to control women by their sexual perversions that could serve as weapon to generate fear. Tragically, there are hardly any protests, any condemnation from the public or religious leaders against such crimes that are indulged by the powerful section of the society. How the fatwa 'culture' have made its way back into the country is a question that needs quick answering, especially after it was banned by a High Court rule in 2001. The greatest matter of concern is the eroding role of citizens. Silence has to be recognised as an abetment to crime.

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# God isn't saving the Left

The news is not very good for the democratic children of Marx and Stalin. The conscience of the Left in Bengal, Mahashweta Devi, has expressed sympathy for the Maoists and contempt for the administration.

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BERTOLD Brecht, the leftist German playwright, was brilliant enough to give cynicism a good name. Parliamentary democracy, for him, was a moveable feast. He once suggested a great alternative to dissolving the legislature and electing a fresh set of representatives. "Wouldn't it be easier," he asked, "to dissolve the people and elect another in their place?"

He might never say so publicly, but Bengal's Chief Minister Buddhadev Bhattacharya is probably ruining the fact that Comrade Brecht's admirable suggestion cannot be implemented. It is useful to remember that the CPI(M)-led Left Front got hammered in the elections before the Maoist insurgency in and around Lalgarh became front-page news. How much worse have the prospects of the Left Front become in Bengal since Lalgarh?

The news is not very good for the democratic children of Marx and Stalin. The conscience of the Left in Bengal, Mahashweta Devi, has expressed sympathy for the Maoists and contempt for the administration. The police probably did not take permission from the Chief Minister when they filed an FIR against filmmaker and filmstar Aparna Sen for visiting Lalgarh to assess the situation.

If the police did check with the CM, he had no business authorising such a vindictive and counter-productive action. If he did not check with him, it means that Buddhadev Bhattacharya's authority has crumbled. Would the Bengal police have filed an FIR against Suchitra Sen or Madhabi Mukherjee when Jyoti Basu was Chief Minister without consulting him?

Aparna Sen is not an ideologue, but her heart and mind are in the right place. She can see what governments, whether in Kolkata, Delhi, Chattisgarh, Ranchi or Bhubaneswar cannot. The Naxalites may

be wrong in their tactics, but they are not terrorists sent by the Lashkar-e-Taiba from Pakistan. They are born of an economy that has turned a handful of capitalists into the bloated masters of the nation, given the middle class the reality of a better life and the dream of riches, and left the poor to the whiplash of hunger and the misery of indifference.

The overwhelming majority of Naxalites only ever wanted the self-esteem that comes from an honest wage. The CPI(M) has abandoned its core commitment by walking away from this reality.

Buddhadev Bhattacharya seems to have become besotted with power, which is probably why he will lose. Nor will the police war against the Maoists end in celebratory triumph for Writers Building, draped for more than three decades in fading red. It will continue long after the Left Front and Delhi have declared victory. The governments have state-power; the Maoists have time.

The people of Bengal have sensed that while Mamata Banerjee may not have the sophistication of Marxist dialectic on her side, she is instinctively closer to their sentiments. That is why they shifted so significantly in the general elections, and will incline even further towards her in

the Assembly polls.

The CPI(M) has been reduced to seeking brownie points in a university debate. Sitaram Yechury is currently engaged in a debate with Rahul Gandhi over which constituency is more wretched. Rahul Gandhi thought, during the election campaign, that the tribal regions of Bengal were more backward than the worst in Orissa. Yechury responded that Bankura and Purulia in Bengal had better socio-economic indicators than Amethi or Rae Bareilly. Both may be right, which means that we should offer a round of applause to Navin Patnaik.

Quiz question: when was the last time Yechury dipped into Franz Fanon's *The Wretched of the Earth*?

The Indian political class may not be doing very much for the poor, but it also seems to have lost all sensitivity to poverty. You can hear Buddhadev Bhattacharya's indignation simmer and boil in his voice as he denounces Maoists before his Cabinet and Front colleagues while defending the ban on them.

When was the last time he got angry over poverty in Bengal? Unless, of course, he believes that he has eliminated poverty already and that Lalgarh is nothing but a conspiracy and a conspiracy between Maoists and Mamata Banerjee to destabi-

lise him before defeating him?

The Left Front would be better advised to take a long and hard look a little to the east of Bankura and Purulia, at the Muslim-dense districts that sweep towards Bangladesh and then bend into South 24-Parganas. Mamata Banerjee is Union Railway Minister largely because the Muslims of this arc abandoned the Marxists.

Justice Rajinder Sachar intended nothing more dramatic than an honest report on Indian Muslims when commissioned to do so by Dr. Manmohan Singh. His bleak portrait of Bengal had a sharp counterpoint: Bengali Muslims could not believe Muslims had more government jobs in Narendra Modi's Gujarat than in CPI(M)'s Bengal.

That was the turning point, exacerbated by the Chief Minister's ham-handed insensitivity towards cases like Rizwan, the young Calcutta boy who died as a consequence of an inter-community love affair. Buddhadev Bhattacharya is not communal. It was not, to paraphrase another playwright that the Bengal CM should recognise, that he loved Rizwan less, but that he loved the Calcutta police more.

I should amend my suggestion: both the CPI(M) and Mamata Banerjee should

take a serious look at the marginalised Bengali Muslims. Their young have not been attracted to Maoists because Muslims will not give up Allah and Maoists will not give up atheism. The first will not change, but the second might. The CPI(M) became an electoral force in Bengal because it softened its rigid position on religion. The Maoists might too.

Mamata Banerjee has been long enough in Bengal politics to understand that replacing the Left Front also means acquiring a crushing burden of aspirations. No one will be more demanding than the poor, particularly the tribals and the Bengali Muslims. The Left Front got 30 years. Mamata will get about 30 months.

Tony Blair had some non-Brechtian advice for those politicians who wanted to win elections, as recounted in the diaries of one of his associates, Chris Mullins. Go around smiling at everyone, he said, and get someone else to do the shooting.

Buddhadev Bhattacharya not only has stopped smiling; he also picks up the gun himself when there is any shooting to be done.

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