

Question of financial integrity

Officials who should set examples are in breach

IN an inter-ministerial meeting attended by representatives of the finance and foreign ministries as well as from the Office of the Comptroller and Auditor General, discrepancies in travel claims made by officials have been revealed. The fares claimed were rates quoted from the IATA fare chart that differed widely from the competitive market prices at which tickets are sold by the airlines or their sales agents to customers.

According to knowledgeable circles, this is perhaps the tip of the iceberg; for the malpractice of submitting inflated bills for air fares, allowances and freight charges has been in vogue for decades in varying degrees. Such financial irregularities amounting to strains on the revenue budget and erosion of the public exchequer that a cash-strapped country like ours can ill-afford have hardly ever been called into question, far less wholeheartedly addressed. The only conclusion one can draw is that those who were to set things right were themselves beneficiaries of excesses, so had a vested interest in their continuation. Otherwise, contained in time, these would not have acquired such rabid forms with the passage of time.

The advance payments that government officials receive before overseas trips with heads of governments or ministers and for attending seminars, training programmes and educational courses abroad are required to be adjusted with actual expenditures incurred. If these are in excess, the residues ought to be refunded to the exchequer. But report suggests that the bills in many cases are inflated and the extra sum pocketed.

Traditionally, the higher and more important the status of the office is like that of the PMO, CAO and the foreign ministry, greater seemed to be the tendency towards bending financial rules in the face of nervous handling of inflated bills by the highest audit office. An official investigation has reportedly revealed a number of such discrepancies. Even junior officials allegedly submitted airfare bills higher than business or executive class rates. In one case, the audit section of foreign ministry detected that a bill submitted for one way ticket on a certain route was higher than the market rate for a round trip.

There should be a comprehensive auditing of the specific instances of financial irregularities and those responsible held to account with excess payments recovered to the state by an appropriate authority and punitive measures taken. Nothing could be a more powerful antidote to financial indiscipline within government than strengthened internal auditing mechanisms in respective ministries. To top it off, let's have an effective parliamentary oversight. Those who are to be the custodians of financial probity, cannot themselves be seen to be breaking discipline.

The Tamils of Sri Lanka

Rajapakse must address global concerns

THE worries expressed by the United Nations about the fate of two of its employees held without charge in Sri Lanka since last June are a reflection of what may have been going wrong in that country. Since the defeat of the Tamil Tigers, certain moves by the government of President Mahinda Rajapakse have given rise to concerns in the international community about whether the administration is really building a structure of peace. The government has won the war. When it vanquished Velupillai Prabhakaran and his LTTE, it was expected that it would move fast and decisively to build a society based on reconciliation between the majority Sinhala and the minority Tamils. That clearly has not happened. As many as 280,000 Tamils, all of them inhabiting areas earlier controlled by the Tamil Tigers, have remained in camps or behind barbed wire in unhygienic, threadbare conditions. All questions of the human rights they are entitled to have been brusquely rejected by the Colombo authorities.

The government's refusal to allow human rights and aid activists as well as the media into the Tamil camps has naturally raised questions about its treatment of the Tamil population. Indeed, much as the Rajapakse administration would like to tell the world it is doing nothing wrong, recent footage about the shooting of captured LTTE men allegedly by Sri Lankan soldiers only makes the case worse for Colombo. Compounding matters is the refusal by the authorities to allow the International Red Cross access to 10,000 Tamils held on suspicion that they used to be part of the LTTE. Only recently, Unicef spokesman James Elder was served with an expulsion order on the charge that his attitude had been pro-LTTE. Worst of all the bad moves made by the government has been the handing down of a 20-year prison sentence to Tamil journalist J.S. Tissainayagam. The journalist, who has been in jail since early last year, has been accused of sympathizing with LTTE rebels and will undergo hard labour in incarceration.

The Sri Lankan authorities are clearly making things difficult for themselves. Their rejection of concerns expressed by governments around the world and their harsh treatment of journalists and aid workers are acts that must be reined in. President Rajapakse stands to be isolated by the global community if he does not move toward building an inclusive society in Sri Lanka. Treating Tamils badly, as in the matter of those in the camps, can only keep alive the very reasons for which Prabhakaran went to war.

Law that does protect, not hurt, citizens

But, however desperate the situation may be, the law should not be allowed to go haywire under any circumstances.

SYED FATTAHUL ALIM

PROTECTION of the citizens is a basic function of the government. The main task of the law enforcers is, therefore, to maintain law and order so that the citizens of the state may live in peace. So, it is hardly surprising that the lawmen are forever after the criminals and various other types of anti-social elements and not the peaceful citizens. Or at least, that should ideally be the role of the law-enforcing agencies in a modern state.

But how do the lawmen distinguish between the lawbreakers and the peace-loving citizens? It often so happens that the outlaws after committing their offence melt away among the masses. And that provides the law enforcers the excuse to hold even innocent citizens in custody and interrogate them, though, to all appearances, the objective of the exercise is to arrest and punish criminals.

What has been termed an excuse to challenge or even arrest any member of the public by the police in the name of catching the lawbreakers has been in the course of time made into law. And this legal provision is nothing but an arbitrary power at the lawmen's disposal. So, what happens when this power is used without much discretion?

As is so often the case, power has the tendency to be misused. And if there is no proper check and balance, the propensity becomes a common pattern.

The misuse of power by the law-enforcers

is a common scene in countries that have a colonial past. That is so because the administration that a post-colonial country inherits is often pockmarked with the leftovers of old legacy. For the chief objective of the colonial masters was to use police more for harassing their subjects than for protecting them. Unsurprisingly, as the proverbial old habits die hard, so does the influence of the colonial legacy.

But does this historical analogy fit into our own context for the particular reason that we have also meanwhile gone through a bloody war of liberation long after the colonial masters had left us? Unfortunately, despite the war of liberation and the long span of time that passed in between, we are yet to bring about any meaningful change in the behaviour of the administration towards the citizens. Many laws of the colonial times are still in vogue, especially under the home department.

And arbitrary use of power by the police is just to mention one of the many such ghosts of the past. What is worse, even after we had wrested our freedom from the usurpers of the state through long-drawn struggles for democracy and the rights that go with it, we even added new provisions to the old laws only to increase arbitrary power of the state or its organs that look after law and order.

Meanwhile, the country and its population, in particular, has not remained static. With the growth of population, the society has become more complex and the affairs of administering it more complicated. The

establishment of democracy has caused the citizens' expectation from the government to rise. But the state, or the governments that run it from time to time, finds it hard to meet people's expectations with the resources at its disposal.

Add to it the vested quarters in politics and bureaucracy that have always remained embedded in the administration to turn it to their unfair advantage. The situation only complicates matters further and the fallout manifests itself often through more public grievances leading to protests and frequent face-offs between the enforcers of law and the public.

The upshot of such developments is that the government gives more discretionary power to the lawmen to deal with social unrest and violence whatever their nature -- lawful or unlawful. Small wonder that more often than not that leads to misuse and even abuse of the power the enforcers of law are vested with.

One comes across no end of such instances of abuse of law in the shape of harassment and torture of the unsuspecting and innocent citizens, both in the public and behind bars. In recent times, the number and frequency of custodial tortures and deaths are on the rise. That amounts to nothing less than gratuitous torture and murder of citizens by the state. That is so because until it has been proved that a person has committed any wrong, the law must treat her/ him fairly. Sometimes the arrested persons are often branded as criminals before they are even tried under law to prove their offence, if any.

We cannot allow this injustice to continue in the name of rule of law for long. Some law must be in place to look into such abuse of law by those in charge of maintaining law itself.

It is against this backdrop that a lawmaker of the ruling Awami League, Saber Hossain Chowdhury, has moved a private member's bill in the Jatiya Sangsad (national parliament) to stop this practice. The proposed bill, which has been drafted in the spirit of the "UN convention against torture, and cruel, inhuman or degrading treatment or punishment." The convention was adopted on December 10, 1984, and Bangladesh is a signatory to it.

The bill so placed in parliament, which is now being scrutinised by the parliamentary standing committee on private members bills and resolutions, seeks not only to stop torture, cruel, inhuman or degrading treatment or punishment of the members of the public by the enforcement agencies or government officials, but also to arrange harsh punishment including life term and even suspension from service if found defaulting in this respect.

If the bill is enacted into law in its letter and spirit, the members of the law-enforcing agency or any government official found guilty of having abused their power in this manner will not be able to get away with their offence even on the pretext of exceptional circumstances or order from superior authority.

The public in general are good and law abiding. It is the few who break the law and the entire population has to pay the price. But, however desperate the situation may be, the law should not be allowed to go haywire under any circumstances. The present move by the lawmaker in question is certainly a well-conceived one to provide our criminal legal system with a better human face.

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New mindset needed for regional integration

For Indo-Bangladesh relations, cooperation in all mutually beneficially areas must be explored and addressed with a fresh mindset.

KAZI ANWARUL MASUD

DOUBTS can be expressed that Bangladesh has been freed from the scourge of religious extremism. The execution of Bangla Bhai and a few others, and the banning of Laskare-Toiba, Jaish-e-Mohammad etc. has not deterred the terrorists from using Bangladesh as a transit point for terrorists fleeing Indian authorities and, additionally, training recruits for al-Qaeda offshoots for terrorism in the country and beyond.

The government's attempt to bring the madrasas within the mainstream of our education system is unlikely to be successful. The new rules and laws that conflict with an age-old system, particularly when the system provides a kind of safety net for the poor coupled with the allurements of going to heaven after killing "wayward Muslims and kafirs," are bound to fail.

Unfortunately, the politicians, who can see only up to the next election and that the votes of madrasa students and teachers are no less important, cannot be expected to be Kemal Ataturk who destroyed *mullahism* in Turkey to create a modern country.

Since India has long been a victim of state sponsored terrorism and Pakistan is suffering at the hands of Tehrik-e-Taliban Pakistan, one

would hope for an integrated South Asian approach to eliminate this curse. This will be difficult as the Indian home minister recently accused Pakistan of stifling the Mumbai massacre probe and the Indian prime minister does not see any possibility of immediate resumption of foreign secretary level talks.

Terrorism today has become a global phenomenon, compounded by 9/11 and the response by George W. Bush and his doctrine of preemption. Almost a year has passed by without a clear indication that change in Barak Obama's administration will be tectonic enough to bring global management to an even keel.

The British prime minister, while addressing the Institute of Strategic Studies on September 4, said: "As we removed the Taleban from power and drove Al Qaeda from Afghanistan, Al Qaeda relocated to the remote mountains of Pakistan. A new crucible of terrorism has emerged... three quarters of the most serious plots against the UK have had links that reach back into these mountains. At present the threat comes mainly from the Pakistan side."

According to a Pentagon report India, Russia and China are key determinants of the international security environment in the 21st century. Of the three, Russia is considered a constructive partner while China "has

the greatest potential to compete militarily with the US and field disruptive military technologies that could over time offset traditional US military advantage." Despite such a disquieting report, the Pentagon advised that the US policy should remain focused on encouraging China to play a constructive role in the Asia-Pacific region.

There is a school of thought which believes that the US's recognition of India as a civilian nuclear power has probably more to do with China's investment in asymmetric military power "beyond Taiwan" than for love of Indian democracy. According to *New York Times*, a former Indian air force chief views China and not Pakistan as India's biggest threat.

The Sino-Indian border conflict is reportedly heating up because of Chinese objection to an ADB loan to India for a water project in Arunachal Pradesh, which is claimed by China. But South Asian expert Elizabeth Mills (Harvard International Review-Changing energy relations between China and India) dismisses the simplistic view of Sino-Indian rivalry ignoring the hunger for energy that the two countries' phenomenal growth would require in the years to come.

Realpolitik has led India to look to China for energy equipment worth \$ 7 billion because India wants to build power plants with a capacity of 78,000MW while domestically she can produce a maximum of 10,000 MW of power equipment annually. Besides, China and India, respectively, import 40% and 70% of their oil, and are mulling the possibility of cooperation in international bidding for energy to avoid the possibility of

one outbidding the other. India is keener than China to have such an agreement.

Politically, Sino-Indian energy cooperation could possibly help US aspiration to move Pakistan from its implacable and axiomatic strategy to treat India as the number one enemy even when the Taliban threat is so palpable. The lessons are, in the words of former World Bank president and George W. Bush's deputy defense secretary Paul Wolfowitz, that foreign policy is about national interest and "realism means dealing with regimes you dislike."

Complementing his words, journalist Robert Kaplan says (*The Revenge of Geography-May/June 2009*): "Realist is now a mark of respect, neo-con a term of derision. Thomas Hobbes, who extolled the moral benefits of fear and saw anarchy as the chief threat to security to society, has elbowed out Isaiah Berlin or the appeasement of Hitler at Munich as the philosopher of the present cycle. Those who were sneered at as Fatalists or Determinists, now are applauded as Pragmatists."

Global meltdown, adverse effects of climate change, increasing poverty, both in the developed and the developing worlds, call for regional cohesion for the betterment of the people of the world. For Indo-Bangladesh relations, cooperation in all mutually beneficially areas must be explored and addressed with a fresh mindset. In the ultimate analysis, the present global construct cannot afford to ignore India as an emerging economy nor the abysmal depth of poverty in South Asia.

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Indian Muslims want jobs, not *iftar*

Muslims seek great merit by reciting the Quran during Ramadan, for this is the month in which Allah's message was sent to our world. They need to spend more time trying to understand what the Quran's verses mean.

M.J. AKBAR

AS was once noted by a garrulous, if not very innovative, politician, India has, just now, a Hindu president, a Muslim vice-president, a Sikh prime minister and a Christian president of the ruling Indian National Congress. I cannot recall Mrs. Pratibha Patil, or indeed any of her Hindu predecessors, inviting Hindu politicians, diplomats, and an assortment of Delhi's Hindu A-listers to a splendid Diwali dinner financed by the Government of India.

Nor has Dr. Manmohan Singh gathered the capital's elite Sikh brethren for a commemorative repast on Baisakhi, when the Khalsa was born. Mrs. Sonia Gandhi does not throw Christmas parties for archbishops, bishops, Christian politicians, diplomats and educationists at state expense. Just to be clear: thank God they don't.

So why does the vice-president of India invite the great, as well as the not-so-glorious, Muslims for an *iftar* party, as he did on September 7? It needs to be stressed that this is not the vice-president's personal decision. His office is merely the conduit for a government ritual, which is why the state picked up the tab for the evening at Hyderabad House.

As if this was not enough, the ministry of external affairs has this year muscled its way

into this food-heavy tribute to tokenism. It hosted an *iftar* party on September 9. I hope the various government VIPs, led by S.M. Krishna and Shashi Tharoor, did not turn up wearing skullcaps in order to look holier than thou. It would have made a quaint picture, though.

The reason for such artless public artifice is quite simple. Delhi's political establishment takes the *iftar* guests, mainly bundled from the local chapter of the Indian Muslim elite, for fools. It treats them as saps who need no more than an annual dinner to keep them onside. Perhaps the establishment knows what it is doing. Experience has probably shown that this "elite" is packed with people who use Ramadan as an opportunity for taking something from government, rather than giving all they can to the poor. The Indian Muslim elite gets taken for a ride because it enjoys the prospect of being an establishment jockey in the race to nowhere.

The state-sponsored syrupy *iftar* drama is not unique to the present lot; every administration in memory has staged it, including that of the BJP-heavy NDA. This patronising smear has become so institutionalised on the Delhi calendar that no one dares to query its legitimacy, need or rationale.

Perhaps the most cynical patron of *iftar* parties was the late P.V. Narasimha Rao, who

insisted on hosting them even after presiding over the destruction of the Babri mosque. Maybe he was not the most cynical: worse surely were the Muslim acolytes who fawned around him, desperately trying to catch his eye to seek some reward for their presence. Rao was good at throwing handouts towards anyone who had the look of a beggar.

The ministry of external affairs, to my knowledge, has till date kept itself aloof from the politics of *iftar*. But some well-lit spark seems to have finally heard what the rest of Delhi has known for many years: that ambassadors of Muslim countries in particular, and the non-aligned world in general, have been offered a very cold shoulder, tantamount to indifference, while the mandarins have been running around building strategic relations with the West. Someone got the bright idea that Muslim envoys would start smiling again the moment they received a gilt-edged invitation to an *iftar*.

Indian Muslims need jobs and justice, not *iftar* parties.

Ambassadors need diplomatic engagement throughout the year, not an early dinner on one evening. But the behaviour of Muslim elites across the world invites the cynicism of others. The exploitation of Ramadan has now become a deeply rooted practice among the well off. If the Islamic brotherhood wants to understand why so many Muslims nations are in such a mess, they only need to examine how their elite have upended the holiest month of the faith, one in which they are meant to turn to Allah and practise the highest values of the Quran -- piety, charity, self-denial, sacrifice -- and turned it into a month-long *tamasha*. Idul Fitr, which is the culmination of Ramadan, means the Id of *fitra*, or

charity.

Self-centred Muslims will surely be astonished to learn that hundreds of verses in the Holy Quran urge charity and kindness towards the underprivileged. There is not a single verse that permits you to cheat your way out of Ramadan. The Quran understands the need to postpone fasting due to travel or ill health; it does not provide any leeway for hypocrisy.

There are Muslims who escape self-denial by reversing the clock. They turn the evening *iftar* into a breakfast, rather than a breaking of the fast, and while away the night till the pre-dawn *sehri*, which becomes a virtual dinner. Then they sleep through most of the day, waking up in the afternoon. This is a perversion of the spirit of Ramadan. If all it took to fast was to convert day into night, then we could have fasted through the year.

My friend Arif Mohammed Khan has brought to my notice a *hadith*, or tradition, in which the Prophet said: "The son of Adam has basic rights on three things: a house to live in, a piece of cloth to cover his body, a loaf of bread and water." *Zakat* is a Quranic principle of the faith. It is an Islamic duty to provide for the impoverished. All you have to do is count the millions who are hungry in Muslim countries and societies to understand how far contemporary Muslims have travelled from their ideal. Muslims seek great merit by reciting the Quran during Ramadan, for this is the month in which Allah's message was sent to our world. They need to spend more time trying to understand what the Quran's verses mean.

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