

## JS special committee and BNP's participation

### PM's statement reassuring

**A**MIDST the general sense of disappointment at the fact that the BNP is not represented in the Special JS Committee on constitution amendment, the PM's assurances, among other things, that the Committee can be recast anytime to include BNP representatives, is heartening.

No committee, much less one that is entrusted with the task of reviewing the constitution and recommending appropriate changes, can afford to be without the main opposition party. And the government should not spare any effort to make the committee inclusive; it must take the opposition on board in order to lend credibility and acceptability to the recommendations it makes.

But merely articulation of intent by the PM is not enough. Necessary steps must be taken to ensure that the idea is materialised, and without delay. And to that end we suggest that the AL, to start with, respond to the queries of the BNP which it had sought in reply to the invitation to join the JS Committee.

Only yesterday we had commented in this very column that the process followed by the ruling party may raise some doubts about its motives given the apparent hurry with which the formulation of the list, and its adoption in the parliament, was completed. The last thing that the AL can afford is to kick up controversy on a very sensitive issue, which the matter of constitutional amendment is.

As for the BNP it will do well to keep in mind that they cannot make the issue of clarifications an excuse to not participate in the JS Committee. They cannot forget that they represent almost one third of the voters and the issue is so vital that not to have their views represented in the discourse, is quite unacceptable.

For the BNP to find ulterior motives on the part of the AL may be misplaced, since the process stems from a ruling of the High Court that makes amendments to the constitution imperative. We feel that the PM's statement on the concluding day of the budget session, that the exercise is not aimed at banning any particular political party or effect changes that might hurt the religious sensitivities of some people, are assurances that should be enough to ally any reservations of the BNP.

On the matter of creating doubts, we feel that people in position of responsibility should abjure making casual remarks that only help create misgivings in people's mind, as was done at the media briefing by the said JS committee. One of its members, at the end of the briefing, very casually remarked that the matter of the caretaker government would also come into their reckoning. We wonder whether at all CTG is an issue. Only the lacunae in the CTG provisions, like the one that allowed its 90-day tenure limit to be extended to two years, may be taken up. Any other move in respect of the CTG is likely to invite severe public opposition.

## BB's monetary policy guidelines

### Implementation entails close cooperation with the banks

**T**HE newly announced half-yearly monetary policy of the central bank has evoked mixed reactions. Before going into these, it has to be pointed out that the six-month duration of the policy has both an advantage, as well as a disadvantage, the disadvantage being that the policy can be tentative.

The built-in flexibility in a half-yearly policy provides for a review and readjustment, or even for changing gear in light of objective economic circumstances past the half-way point of a fiscal year.

Now, coming to the reactions of the experts to the policy: at one end, it has been viewed as being in line with the national growth objective without fuelling inflationary pressures. The implication is that it's pragmatic. Quite clearly, the monetary policy ties in with the government's GDP growth target of 6.7 per cent and seeks to contain consumer price index (CPI) at 6.5 per cent.

At the other pole of reaction, it has been regarded, to put it mildly, as 'cautious' with a potential of being contractionary. We, however, prefer to adopt cautious optimism at this stage being focused on the issues of implementation.

Credit flow to the private sector by the end of the current fiscal is envisaged at 16 per cent whereas it was 21.1 per cent in June last fiscal. That means private sector faces a credit squeeze. This is necessitated, according to the central bank, by an escalation of credit flow into unproductive sectors like buying and building houses, land purchase et al. Money has flowed into consumerism dubbed as 'casino' style living, whatever that means!

Of course, the aim of the government and the central bank would be to find ways to increase investment in the productive sectors such as energy, infrastructure, SME to name some obvious areas. But the banks tend to tread where the profit is. Yet sustainable and long term profits can come largely from productive investments. So, there is a question of judicious liquidity management on the part of the central bank as well as the other banks.

In a parallel move, the BB has set higher targets to bank roll agriculture sector. Private and foreign banks are to contribute significantly to the agri-lending operations. It's good to know that foreign banks are thinking of branching out to rural Bangladesh for the purpose.

In the domain of public spending which is set to increase, the government needs to exercise caution and control. It is important to note that keeping inflation in check is not entirely dependent on Bangladesh Bank. The 'supply side' of the economy will have to be strengthened along with critical mass of local investment.

## The police identity

As of now, the core issue is not so much what police does but why it does what it does. The question is, what kind of law enforcement are we insisting on? Can we afford to allow sacrificing the quality of law enforcement at the altar of infighting between vested interests?

MUHAMMAD NURUL HUDA

**I**N the views of an erudite columnist of The Daily Star (Policing the Police, July 17), the occupational status of Bangladesh police stands somewhere between private security guards and the minions of powerful quarters. The writer also comments that the police have not been able to overcome their identity crisis. Such views, though brutally disparaging and morale-shattering, are not far from actual conditions on ground.

What, however, should engage serious attention are the factors attributed to the malfunctioning or under-functioning of a vital organ of the state, thus impinging seriously on good governance. In the absence of a meaningful look into the deficits and attendant corrective actions, all our condemnations and pontifications serve no purpose. It is, therefore, time once again to venture to do the needful with a view to moving from the deviations to the desirable.

The role of our police has to be viewed in the perspective of the historical process, the changes in the social situation, the values and aspirations of a developing society. There is no denying that we have inherited the historical disadvantages common to all countries subjected to colonial rule. The question, therefore, is if there has been a meaningful enunciation of police role that, of necessity, has to be divorced from past traditions?

One has to admit that the Bangladesh state was the product of a freedom struggle and, while it adopted a written, liberal democratic constitution, it retained the colonial administrative, police and judicial structures without recasting them to meet the changed situation.

Did not the "colonial-repressive" character of our state emerge when the governing elite of a de-colonised society decided to retain the inherited police organisation, ignoring justified demands for change?

Though repetitive, it needs saying once again that our police system has not been able to come out of the structural and organisational features that establish a

relationship of control, coercion and surveillance over a subject population. Such structures are useful to a regime of surplus extraction. In fact, the colonial Irish constabulary was the model for the Indian Police system, which we have inherited and continue to sustain.

By mid-1930s, police coercion became a vital instrument of state policy. The emergence of a militant strain in national politics and the development of the coercive and surveillance strength of the police led to sharper public criticism of the police. A massive expansion of police arms and surveillance took place during the 1940s.

One needs to ask if our police's values lies in periodic exhibitions of force and the equation of force with authority. Do we witness situations which would make one believe that the defiance of state authority is considered a serious crime and political resistance a likely occasion for crime? One needs to understand the political purposes behind the origin of our police and the concomitant allocation of resources towards that end.

One needs to know that Police Act of 1861 prioritises collection and communication of intelligence affecting the public peace. The Criminal Procedure Code begins with the "arrest of persons" and the "maintenance of public order and tranquility" before getting to grips with procedure relating to investigation and trial.

The question is, have we succeeded in introducing changes in tune with the provisions of our republican constitution? Do we intend to keep our police at a distance from the people and let them continue as a despised lot?

An important aspect that has a bearing on police conduct and its occupational identity relates to the blanket power of superintendence vested in the government by the Police Act, 1861, which is not appropriate in a democracy.

There has not been a review of the authoritarian powers that are clearly antithetical to the democratic spirit. Does it serve narrow political interests in not undertaking the required review, one may ask?



Braced for deterrence.

The unpleasant reality is that we have expanded and strengthened the inherited colonial system and, as such, the police continues to perform its repressive role and political surveillance functions at the cost of its proper role.

Internal incentives do not exist to professionalise the service and to insulate it from group conflicts in society with a view to enabling it to act in a non-partisan manner. Are politicians hesitant to professionalise police because control over it is central to political conflict in a polarised society?

Don't we have the problem of right use of authority by parties that occupy positions of power? Are there instances of use of the police machinery for political ends? Have we been able to develop the democratic norms that should govern the relationship between the party in power, the individual politician and the police? These queries should engage the observers while admonishing the police and commenting on their performance.

As of now, the core issue is not so much what police does but why it does what it does. The question is, what kind of law enforcement are we insisting on? Can we afford to allow sacrificing the quality of law enforcement at the altar of infighting between vested interests?

Do we witness a temperament that is continually pressing a partisan advantage to its bitter end without respecting and understanding the other view? If that be so, is it not unrealistic to expect our police to act in a phlegmatic and professional

manner? For the deficits in police performance the prevalent wisdom tends to put all the blame on the political class, ignoring the negative role of police leadership. A pragmatic inference would be that the police leadership has remained a prisoner of the political party in power at all levels and has failed to contribute to organisational renewal and revitalisation, research and training and the nurturing of professional skills.

The flowering of police professionalism and the tiding over of the identity problem will be possible in large measure when, inter-alia, the following deviations lessen:

- Instances of selective enforcement of law in favour of the dominant group;
- An absence of effective mechanism of public accountability;
- Relatively unrestrained use of force;
- Political partisanship in upholding and enforcing the distribution of political power and direct police involvement in the political process;
- Harmful diffusion of policing functions by the ruling political group with so-called volunteer groups and other compatible agencies being drawn into a policing role.

The police, in our situation, appear as disconcerting spectacles of hapless meat in the sandwich, squeezed by the intransigence of two opposing groups and compelled to use force to implement whatever decisions they take.

Muhammad Nurul Huda is a columnist of The Daily Star.

## The angry people

Unfortunately, the spirit of tolerance or the sense of accommodation, which provided glue to our integration, is drying up. Parties which are attempting to deny or defeat the ethos of secularism are harming the country's unity and its catholicity.



Unrest in Kashmir.

KULDIP NAYAR

**T**HE escalating violence in the country frightens me. Still more frightening is the shape it is taking. It has turned in some places communal, regional and ideological. Yet whatever the direction, it indicates a trend where the rule of law is lessening and sheer force is gaining recognition. I had imagined that the political parties would not stoke fires and find a way to douse them. Instead, I find some of them organizing their cadres and arming them to jump into the fray at their asking. For the first time, Hindu terrorists are also active.

The Maoists, however misdirected, are at least saying that they do not believe in the ballot box. Their trail is marked by blood which is strewn at least in half of the 200 districts they dominate. The killings of CRPF personnel, now crossing the 100 mark, at Dantewada and Narayanpur

district of Chattisgarh are recent examples. There is no stopping of the Maoists who even targeted the civilians when they killed 76 passengers of a Mumbai-bound train in west Midnapore district of West Bengal. How do they serve their cause which is supposed to be the welfare and emancipation of people when the Maoists are killing them even by derailing and blasting trains?

For a moment, forget the Maoists. Even those who avow faith in the parliamentary system have become equally brutal when their own interests are at stake. The stone pelting incidents against the security forces in Kashmir, as instigated by the Hurriyat, are taking place every now and then. This has been the scene for the last one year.

The excesses committed by the security forces in Kashmir are reprehensible and they should be an inquiry by a judicial commission to find out why the security forces indulge in such violent events. The government's promise of zero tolerance

doesn't mean anything when children are killed in the action taken against the agitators. I do not expect anything from the extreme elements because they are out to destroy the polity and disfigure democracy as much as they can. It is for New Delhi to ensure that no force runs amok and there is proper punishment of people found guilty.

The latest addition to the list of brutality is "honour killing." In recent months, one has heard about scores of such killings taking place in northern India, particularly in Haryana, where the khap panchayats have openly backed these killings. Several young boys and girls getting married from the same gotra have been the victims. In some cases, the couples were driven to the wall to commit suicide. The neighbouring state of Punjab too has joined the law violators. A strange example is that of an NRI killing his own step-daughter because he did not approve of the marriage of the girl to a low-caste Sikh in Brussels. Television networks have rightly brought such brutalities to light.

But one unfortunate fallout that people are beginning to equate violence and "honour killings" with the tainted system. Their confidence in it is turning into cynicism. They are finding the law and order machinery an instrument of tyranny in the hands of rulers and their cohorts who stage-manage false encounters to eliminate the opponents and trumpet up cases to harass the critics.

Whether it is a single party government or a coalition, the methods employed are no different. The worst culprits are the civil servants. The ethical considerations which once guided their action have dimmed beyond their comprehension. The desire for self-preservation has become the sole motivation for their behavior. This is what they have been doing under any "strong" chief minister in the states and a similar kind of person at the centre.

In the process, people have got disillusioned. They have come to infer that justice is only a relative term. They have lost the awareness of what is right and do not realize what is wrong. They find the dividing line between right and wrong, and moral and immoral, sinking in the sands of opportunism and oppression. They are at a loss as how to act. No wonder they fall prey to what is promised by a demagogue or a person with the gun.

Political parties should realize that any appeal to violence in India is particularly dangerous because of its inherent disruptive character. We have too many fissa-

rous tendencies in the country to take such risks. Violence, even otherwise, produces an atmosphere of conflict and disruption. It is absurd to imagine that the result of the conflict shall be the victory of socially progressive forces. I find the Left some time thinking on those lines.

In Germany, both the Communist Party and the Social Democratic Party were swept away by Rudolf Hitler. This may well happen in India where diversities, which to date are the nation's forte, are solidifying into separate entities and threatening to become permanent compartments. Consensus, which is the corner stone of democracy, has become so difficult that even the basics cannot get the approval of parliament. Yet there is inherent unity at which the foreigners marvel.

I recall that when I was India's high commissioner to the UK, the Soviet Union was tottering. Mrs Margaret Thatcher, the then British Prime Minister, told me about the advice she had tendered to Moscow: Learn from the example of India which had stayed together for hundreds of years despite people professing different religions, following different castes and speaking different languages.

Mrs Thatcher asked me what I attributed it to. It took me some time to explain to her that we in India did not divide things into black and white. We believed there was a grey area which we had been expanding for decades for strengthening our pluralism. Twenty years later, I feel what I told Mrs Thatcher is changing to the detriment of our nation.

Unfortunately, the spirit of tolerance or the sense of accommodation, which provided glue to our integration, is drying up. Parties which are attempting to deny or defeat the ethos of secularism are harming the country's unity and its catholicity. They have their own agenda and want to pursue it even at the expense of the nation's unity. Methods do not matter to them.

I believe in the basic dictum that wrong means will not lead to the right results. This is merely no longer an ethical doctrine, but a practical proposition. India can disintegrate like the Soviet Union if the nation does not awaken to the dangers of conflict. The Maoists, the Hurriyat and all political parties should eschew not only violence but also the language of violence which instills division and hatred. The situation is too uncertain to be complacent.

Kuldip Nayar is an eminent Indian columnist.