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Disentangling the fear factor

There is a wide chasm between the ideal and the reality and consequently the image of police has been tarnished. The police who are supposed to be protectors of the citizens have themselves been indulging in dubious and deplorable criminal activities.

MUHAMMAD NURUL HUDA

DEMOCRATIC and freedom-loving citizens of Bangladesh would be disappointed and shocked to read the cover story of the weekly STAR of 3rd December with regard to the fear factor. The report says that torture and death in custody are becoming institutionalized strategies leaving society scarred and terrorized. It very ominously comments that successive governments have tacitly given law enforcement officers the freedom to arrest anyone indiscriminately, sometimes a license to kill if necessary.

The above report highlights the deep-rooted malaise by observing that the system has not worked in the desired manner on account of non-accountability and non-transference or lack of information from the enforcement officials. It adds that there is worrying abuse of power, corruption in the agencies, and the government and the ruling party has exercised influence over the law-enforcement officials.

It would therefore, appear that there is a wide chasm between the ideal and the reality and consequently the image of police has been tarnished and so has the contemporary police culture. The police who are supposed to be protectors of the citizens have themselves been indulging in dubious

and deplorable criminal activities.

The essence of the issue lies in police use of physical force. The police are authorized to take custody of a person, to defend themselves or others, and to maintain order. The important question is how much force is reasonable and necessary. Rule of law, practically speaking, is primarily concerned with the protection of the rights of the accused persons and not of the victims.

The police are not convincingly aware of the image-shattering impact of the third degree method of work and that by resorting to such illegal method they commit serious offences punishable under sections 330 and 331 of the Bangladesh Penal Code. The crime in trying to obtain a confession by tortuous method becomes more reprehensible than the misguided act of an ordinary criminal.

In Bangladesh, however, the police are expected to use maximum force in quelling street agitations, political meetings and demonstrations. It has not occurred to us that the police, as one of the administrative agencies, have a special responsibility to ensure the widest possible degree of individual liberty and security in terms of our constitutional guarantees. We seem to be oblivious to the reality that challenges to authority are inherent in a plural society. These are

accentuated in a democratic polity and lead to agitations and disturbances.

Additionally, there is the problem of right use of authority by parties which are in power. There have been many instances where governments have been accused of using the police machinery for political ends. There are instances of individual politicians interfering with the administration and work of the police. Unfortunately, we are yet to develop the norms that should govern the relationship between the party in power, the individual politician and the police.

The unhealthy political meddling in the recruitment process of police, particularly in the subordinate ranks is a sad reality despite denials by successive regimes. We do not realize that however good the organizational structure, the procedures and the methods, it is the personnel who translate policy into action. We have continually failed to appreciate that the nature of the police role in a democracy requires that the members should be selected impartially; they should be administratively competent, politically neutral and imbued with the spirit of service. A police officer enjoys vast powers under the law and exercises wide discretion.

The recruitment procedures should, therefore, be so devised that they are free from political, personal or corruptive influences. Unfortunately, our recruitment process has become tainted. So if policy makers do not realize the depth and consequence of irregular and illegal practices in the said exercises, the law and order situation will not improve for the relief of the citizens.

It is to be noted that the various constitutional rights in the nature of human rights of the individual suspect come under the direct handling of police in all stages of

crime investigation—from arrest to imprisonment. Therefore, it has to be ensured that no arrest can be made merely because it is lawful for the police officer to make an arrest. The existence of power to arrest is one thing and justification for it is quite another.

It is desirable the police officer must be able to justify the arrest apart from his power to do so. Arrest and detention in police lock-up of a person can cause incalculable harm to the reputation and self-esteem of a person. No arrest can be made in a routine manner on a mere allegation of commission of an offence made against a person. It would be prudent for a police officer in the interest of protection of constitutional rights of a citizen and perhaps in his own interest that no arrest should be made without a reasonable satisfaction reached after some investigation as to the genuineness and bona fides of a complaint and a reasonable belief both as to the person's complicity and even as to effect arrest. Denying a person of his liberty is a serious matter.

The constitution guarantees protection of an individual's dignity and civic rights. The objective of all the institutions including the police is to strive for this goal. Hence, police should identify itself with the poor and the downtrodden of the society. It must not perpetrate injustice on the weaker section. It should live up to the high ideals of the Constitution and act in accordance with the law. It should be noted that justice is the ensuring of civil liberties and police is its protector and defender. Perhaps, such and similar steps may minimize corruption, delay, political interference, indifference of prosecution branch, harassment of witnesses, ineffectiveness, favouritism and the inefficiency in the Police.

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Population control: Prospects still bleak

The high rate of growth, which is likely to continue to increase further because of the projection of the young population in the country, threatens to reach overwhelming proportions due to declining trends in mortality, high fertility, youthfulness of the population, early marriage, as well as increased migration to the cities.

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THE population of Bangladesh increased from 76.3 million in 1974, 89.9 million in 1981, 130.5 million in 2001 (Bangladesh Population Census, BBS) to 144.7 million in 2008 (sample Vital Registration System-SVRS 2008). The combined effects of continued high fertility rate, declining mortality rate, coupled with an increase in life expectancy have resulted not only in an increase in the population growth rate, but also in keeping Bangladesh's population very young, thereby sustaining its built-in momentum for growth.

The high rate of growth, which is likely to continue to increase further because of the projection of the young population in the country, threatens to reach overwhelming proportions due to declining trends in mortality, high fertility, youthfulness of the population, early marriage, as well as increased migration to the cities.

Though detailed time-series data of fertility and mortality rates are not available, there is ample evidence of steady decline in the death rate and general improvement in life expectancy, which is currently estimated to be 65.6 years for males and for 68.0 females. The rapid expansion in public health facilities in the recent past has contributed to this development, as has, no doubt, the governments' successful efforts

to control small-pox, cholera and other communicable diseases. The birth rate has remained continuously high due partly to strong culturally related pronatalistic tendencies.

The age structure of population gives a high dependency ratio. The urban population growth rate is now 25.1% of the total and has a high annual growth rate. Much of this growth arises from migration of young single males and females seeking work opportunities, and these result in an urban sex-ratio of 106.0. Bangladesh is one of the most crowded lands on earth (980/square kilometer) and fertility is not projected to fall to replacement level until 2051. At that point, its population would be so predominantly youthful that growth would continue until eventually there are 282 million Bangladeshis, twice the present population.

The total fertility rate (TFR) remains high, at an estimated 2.25 in 2010. However, the TFR has declined from 7 in 1971 as a result of a rapid increase in contraceptive prevalence rate (CPR) from 10% in 1975 to 49.5% today (Utilisation of Essential Service Delivery Survey SVRS 2008). There has been a remarkable consistency in fertility across spatial, urban, religious and educational distributions. Socio-economic differentials in fertility exists, with lower rate of women married to non-agricultural and white collar workers, though non-working wives and those with greater assets representing afflu-

ent rural families have higher rates.

We know that despite a long period of family planning activities in Bangladesh the results have been discouragingly low, and showed a dismal picture in terms of fertility regulation. A common and often repeated observation attributes this situation to the difficult socio-economic setting in which the programme has been operating.

Experience shows that among the factors associated with fertility declines are urbanisation, improvement of female status, education and employment, availability of modern contraceptive methods, economic factors, and not the least, the decline of mortality itself, and that the level of mortality will henceforward be a good indicator of the success of Bangladesh's development ameliorating the material condition in which most people live.

Recent studies have shown that the demand creation for family planning is a complex socio-economic and even political phenomenon. For policy purposes, considerable debate has taken place on those socio-economic variables which have a bearing on fertility behaviour. In the Bangladesh context, we can do that to achieve effective control over population explosion. We must adopt the following measures for programme development:

- A clearly defined population policy (since 1965, population control programmes have been operating but desired result has not yet been achieved);
- A compulsory birth/death registration system (the role of this birth and death register is very important in demographic analysis of population structure for economic and social reasons);
- Restriction of government benefits to 2 children per couple;
- Introduction of full pension for issueless couples so that they do not have to depend on the support of the children in old age;

- Raising the socio-economic status of women through education and employment;
- Improvement in the health and nutritional status of the people and a reduction of infant, child and maternal mortality;
- More effectively analysing and developing strategies to confront the large gap between knowledge and practice;
- Measuring the size and impact of various types of internal migration; and
- Integration of the family planning programmes with all development oriented programmes.

To summarise, the population prospects of Bangladesh are gloomy from almost any viewpoint. Even with aggressive family planning programmes, this picture is unlikely to change much, especially in the near future. With continuous high fertility comes higher dependency ratio, with all the health, social and economic consequences that these circumstances imply. Declining mortality will exacerbate this already bad situation, resulting in the need for more investment on all aspects of social development such as educational facilities, employment opportunities, housing, basic food supply and social services of all kinds.

In view of these facts, it is necessary to adopt a dynamic and positive investment policy for population control to achieve economic development, because development provides people with the incentives and motivations to limit their family size. But family planning programmes are needed to provide them with the technological means to avoid unwanted pregnancies. And where such motivation exists, well-executed family planning programmes can be an effective tool for accelerating fertility decline.

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Fresh eye-opener to handling corruption

A way forward emerges from the public opinion survey

THE Global Corruption Barometer 2010, the most extensive survey to-date on people's perception of and experience with corruption, conducted for the first time worldwide by the Transparency International (TI) makes some extraordinary revelations. Sampling opinions of 1,049 Bangladeshis in 64 districts, the TIB finds that, contrasted with a world average of 22 percent, 60 percent of Bangladeshis favoured the government over other organisations to fight corruption.

It may sound a somewhat ironic preference for the government. For, its constituents like the police, civil service, land and registry services, utilities, education administration are placed atop the corruption curve. So the natural question to ask would be: with what arsenal the government is to fight corruption?

It is also a tall order because the political parties, especially ruling party, judiciary and parliament are themselves regarded by the public as being no less involved in corruption. The NGOs too, are not excluded in the perception.

However, it is a remarkable, though not a surprising choice indicated by fellow countrymen in putting their trust in the government for effectively curbing corruption. The reason is to be found in the public longing to see an elected government in the role of a major doer in reversing the incidence of corruption with the opposition oversight at play. For all practical purposes also that is a natural expectation to harbour.

It is also noteworthy that public opinion places the media in the second position on the trust criterion. The public, media and rights activist groups can only help but its the government that should not only play an exemplary role but also seen to be leading the way out of corruption. Indeed 90-95 percent Bangladeshi respondents are willing to extend a hand in fighting corruption and 93 percent believe ordinary people can make difference in combating it especially, the petty variety. But institutionally, the fight has to be spearheaded by the government.

Whereas the strongest voice against corruption should be heard from the government, it is the ruling party excesses that the government happens to be soft on. In dealing with suspected or real offences including corruption in the opposition, the government moves with speed but not so about its own party followers.

There is a rising concern over corruption in some ministries. Government should show zero tolerance to the malady within to be leading the way in the fight. Looking around, despite the high integrity of Monmohan Singh as Indian Prime Minister, a cabinet colleague's excesses are casting a shadow on his government.

We would urge the government not to be either self-congratulatory or defensive in the face of the TIB findings rather to use the information as a tool to combat corruption, institutional and petty. It must go all out, take the public with it, in a comprehensive crusade against corruption.

Unabated hazards of illegal chemical factories

Determined remedial measures still lacking

INCIDENTS of fire keep on occurring in disconcerting regularity in the old part of the city, sometimes in the same locality. In a repeat of many such accidents caused by fire, initiated by irresponsible operators in illegal makeshift factories in the old part of the capital, two young workers were badly burnt, one suffering 48 percent burns. They were refilling cigarette lighters with butane, a very inflammable material. And the room that they were working in stored other incendiary chemicals too. This was being done clandestinely in a thickly populated area, and thank heavens, the fire was put out quickly with the help of local people before it could do much damage.

Old Dhaka particularly has become a den of clandestinely operated chemical factories. They are not only engaged in dealing with inflammable materials, they are also producing and marketing spurious goods. And through both these activities are causing tremendous damage to human safety.

Only this year alone nearly half a dozen incidents of fire have occurred in Old Dhaka, with repeat in Nimtoli, where only in June of this year, 122 people perished in a blaze caused by a fire at a chemical store. Some houses in this area are still being used for storage of chemicals and combustible materials despite government ban on trade in these substances after Nimtoli tragedy. August 17, the deadline for relocation of chemical godowns and factories, has long gone by but we see no signs of implementation of government's order.

The Nimtoli victims are yet to fully recuperate from the psychological trauma they had suffered. The government had made good gestures some by the highest authority personally, to address the victims' problems. Some of them, however, are yet to be rehabilitated financially. In addition to having to overcome the aftermaths of a devastating event like the Nimtoli blaze, they, and the entire population of old Dhaka, are being subjected constantly to the prospects of another disaster.

The relevant agencies owe an explanation as to why nothing tangible has been done in relocating the chemical depot and factories away from the thick of human habitation in spite of court directives. Why has no action been taken against the defaulters after August 17th deadline? We wonder whether it is apathy or inability on the part of the agencies to take action. The government should move fast to make life in old Dhaka free from avoidable hazards.