

STRAIGHT LINE

Ambitious budget

Is it achievable?

THE FY 2012-13 budget has been presented with due fanfare and it is now time to take a closer look. The reactions are mixed across the board, but it comes across as rather vague on a number of crucial issues, particularly, how to tackle rising unemployment, the under-utilisation of foreign aid, the overall liquidity crunch that has hampered the economy at large, dismal foreign direct investment inflow and of course the case of reining in inflation.

With disbursement of foreign aid standing at \$835 million till April, the government's intention to utilise \$2.5 billion this year seems to be a tall order. Again, if one takes a look at the thrust given to raising public finance through the proposed sale of Tk74 billion worth of national savings certificate (NSC) in the current fiscal, it does not generate overwhelming confidence. Up till April '12, the government has managed to generate only Tk3.8 billion through sale of NSC. The downside to any shortfall in revenue generation will force the government to resort back to borrowing from the banking system the adverse effects of which have been felt in the last fiscal where private investment took a decisive hit in terms of reduction in private investment as a share of GDP declined in FY12 to 19.1% from 19.5% in the preceding year. The other problem that can arise from borrowing internally beyond Tk230 billion would violate the stringent loan conditions of the International Monetary Fund that has lent \$987 million to help with balance of payments. Any excess borrowing beyond the threshold of Tk230 billion will result in defaulting on IMF conditions that are non-negotiable, as was proved to hold true when the last caretaker government failed to clinch the second tranche of a similar loan due to failure to meet conditions.

Though the finance minister is hopeful about reducing inflation rate to single digit, i.e. 7.5%, the mechanism for attaining this has not been spelled out. Although the IMF loan specifically spells out "contractionary monetary policy" in its loan to Bangladesh, whether that alone will be sufficient in tackling inflation is a matter of debate. To what extent budget can be implemented will depend to a large degree on the government's institutional capacity to implement.

Dwarfed local government bodies

Pat on the back belated rhetoric

AFTER having systematically divested the local government bodies of powers that should have been vested in them, cheery words have been uttered for their future in the budget speech of the finance minister.

It is common knowledge that the Awami League-led government came to power on a raft of pledges contained in its electoral manifesto. It can hardly be overstated that one major contributor to the AL victory at the polls was the party's electoral commitment to strengthening the local government system.

The idea was that powers would be devolved from the central government on to the union parishads, upazila parishads and zila parishads. Three and a half years on, the elected bodies, even with greater women's representation look weakened as the MPs and the UNOs have more influence and power over the elected chairmen of the upazila parishads. The two sets of elected representatives have been brought into a conflicting relationship, although they were supposed to have well-defined mutually reinforcing roles to play. The result of this anachronism is the stifling of the potential of the local bodies to assist implementation of the ADP among a whole host of other activities the government undertakes in the health, family planning, education and crime control sectors.

Thus we hear from the finance minister an acknowledgement that the government 'could not make much headway towards the issue.' But he "promised to decentralise power and build a self-contained administrative arrangement for local government". This, he suggests, would form part of massive administrative reforms for future delegation of power.

He hopes to 'present an outline on this issue before the end of this government's tenure, as assured by the Prime Minister.'

The local government system has been unreformed, so to speak, and administrative reform has been a long pending issue. Clearly, *status quo* will be maintained during the current tenure of the government. True, local government and administrative reforms should have moved hand-in-hand but throwing the agenda into the future

Indiscretion and image



MUHAMMAD NURUL HUDA

AN ideal police culture should correspond to the ideal public image of the police. Unfortunately, however, there is a wide chasm

between the ideal and the reality. Image of the police, instead of being salutary, is tarnished. And so is contemporary police culture.

Police powers can be part of a pattern of discriminatory use against a particular individual or section of the community. If some police officials develop the habit of exercising their powers with regard to only certain sections of the population, or certain individuals, then there is an abuse of power.

Police work is largely discretionary, and although the law gives police powers it does not make the exercise of these powers mandatory. The law customarily says "any officer may arrest" rather than "any officer must arrest."

The best means for police to improve their image are through the education and personal development of officers and through recruitment of persons of the right standards. The frequently repeated police response that cases of unacceptable behaviour are the work of a few is no longer sufficient to satisfy a sceptical public. The police now, rightly, need to justify the contention that violence and intimidating actions are not the norm for police behaviour.

The development of an ethical code can set a positive standard of behaviour which each enforcement official should strive to attain. A discipline code enforces the minimum standard of acceptable behaviour. An ethical

code is a far better basis for improving professional standards as it aims for the best, rather than accepting the barely permissible mediocre.

Police officials need to remember that their misconduct severely pinches, irks, annoys and angers the people and has a lasting tarnishing effect on the public image of the police. The misdeeds of police point to the ugly shape our contemporary police culture has willy-nilly acquired.

The essence of the issue of police brutality lies in police use of physical force. Just how much force is reasonable and is necessary depends upon the facts of the situation. Police effectiveness, however, has to be sacrificed at the altar of civil liberties in a democratic society.

How can the police insist on irreproachable behaviour from wrongdoers if their own conduct is not above board? Thus public insistence on law observance can be achieved best if the police themselves, as the country's principal law-enforcement agency, set the example of law-abidingness before the citizens by scrupulously observing the law. "Law observance by the police is thus the best form of law enforcement that one can conceive of in a country under the Rule of Law."

Whatever may be the wrongs which an individual might have been accused of committing, it is not for the police to punish him, for law does not give him any such power. It con-

demns such actions as serious offences punishable under Sections 330 and 331 of the Bangladesh Penal Code. When a policeman indulges in third degree methods he not only brutalises himself but also degrades himself to the level of a criminal, nay, he compares even less favourably than the criminal in his custody.

One has to, unfortunately, admit that in public estimate, the law-enforcers appear as an agency more to implement and enforce the objectives of the government in power and to help the affluent sections of the society. Their independence and impartiality are suspect. Such an unfortunate state of affairs is the direct result of the lawman's acting contrary to the public interests and expectations. Many enforcers believe that people should acknowledge their authority with abject submission and remain ever ready to oblige them in every possible way. In respect of powers vested with the

policemen in the penal code, it needs to be said that they may use force under some limited circumstances but that should be kept down to the minimum necessary level. Since the image of the police reflected by the mirror of public opinion conforms to what the police and police culture are, both the police image and police culture are tarnished despite the very good work done by many. By resorting to practicing lawless law enforcement, which

obviously is a contradiction in terms, the police inevitably further tarnish their image. Paradoxically, lawless police officers are in demand in some areas. They produce short-term spectacular results that prove illusory.

Bangladesh police suffers from a colonial past and a legacy of coercion. In colonial times, the police was an agent of imperial brutality and earned an image of being anti-people.

However, in our democratic polity, police are the first servant of the people; they cannot be used as they used to be, that is to perpetuate a party's rule. To effectively prevent misuse of police force, the infiltration of political elements into the organisation, rendering the outfit incapable of providing impartial and efficient service, must stop. This is of paramount importance because large number of incidents of torture in various forms and harassment of political opponents reportedly take place at the behest of the government in power.

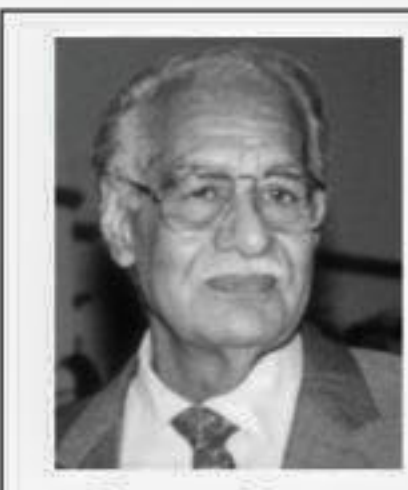
Legal aid, sincere in nature, must come along almost at the same time a member of the weaker section of the society is arrested. Such a step will reduce the possibility of wrongful confinement, false incrimination in offences and the pangs of torture and the possible physical deformity, if not death, in police custody. In this connection, reference may be drawn to the observation of the Indian Supreme Court in 1986 when it said that the failure of a criminal court to provide legal aid to a person who cannot engage a lawyer to defend himself at a criminal trial will entitle him to acquittal.

Another preventive measure would be aggressive, investigative journalism to expose the gross misuse of power by police. This will, hopefully, substantially deter the wayward lawmen.

The writer is a columnist of *The Daily Star*.

BETWEEN THE LINES

Where is the vision?



KULDIP NAYYAR

WHAT EVER THE Congress speaks, it sounds like an evangelist's outpouring. The party was no different a few days ago at

its meeting of some 100 delegates, comprising Working Committee members and state presidents. The party again acted like a preacher who wanted to stir up feelings of revival. It cannot be done by merely attacking the opponents. There have to be answers to the questions on the ever-rising prices and the never-ending scams.

The delegates and other supporters who return to their field have to tell the people among whom they live or work what are the replies they have brought back. There have been scams costing the exchequer billions of rupees and inordinate delays in taking steps to stop the down-sliding economy. Still, there is no official explanation.

Prime Minister Manmohan Singh's slogan, "we will overcome," or Congress president Sonia Gandhi's attack for levelling baseless charges will not do. The party men are not gullible as they have been in the past. They want proof and measure it against their living conditions.

The overconfidence, rather arrogance, that the Congress leaders effuse, particularly the seemingly humble Finance Minister Pranab Mukherjee, has not gone down well. People have not been taken in by the promises. The government's performance is pretty poor. True, the general elections are still two years away. Yet this period is not long enough for the

government to take pertinent steps which would perk the economy and the life of the voters.

Somehow, I was expecting drastic changes in the cabinet, a bigger role for Rahul Gandhi, and innovative economic policies to give the message of a new resolve and new measures to reflect a better way of governance. The hedging because of impending presidential election is understandable. Yet the delegates and others cannot say that the paralysis of government is because the party wants first to install its own person at Rashtrapati Bhavan. The Congress has missed a great opportunity if it had anything up its sleeve. I am confirmed in my view that the party is bereft of ideas and does not know how to control prices or to facilitate more production in factories and fields. It seems to have lost its way.

The seemingly alternative Bhartiya Janata Party (BJP) is neither here nor there. The criticism of the ruling party, with a pinch of parochialism, completes the BJP's story from A to Z. Lately, it has smelt power. It believes that the people's alienation with the Congress will divert them to the BJP. But when its own house is not in order, how can it expect to net the catch it wants?

That the RSS will continue to dominate it is not something the party can wish away even if the bulk of it wants to have a different image. One, it cannot deny the parenthood because the RSS gave birth to the Jana Sangh, later renamed as the BJP, to be the organi-

sation's political arm. Two, the party does not have any cadre of its own. The leadership, drawn from the middle class, does not like the smell of sweat of the pracharaks (the RSS preachers). But they are their main strength.

The BJP has never been a party in the real sense. It was a reaction to the ousting of old Jana Sangh members by the Janata Party which wanted them to make their promise to cut off links with the RSS good. And the RSS on its part has kept the BJP under its control. Even a tall person like Atal Behari Vajpayee had to wear khaki knickers and stand at attention in the RSS organised drills to show who the boss was. That is the reason why the RSS leaders chip-chop the party in the way they want and whenever they want. BJP chief Nitin Gadkari is the RSS choice; and even when he was not to

the liking of veteran L.K. Avani or the opposition leader in the Lok Sabha Sushma Swaraj, Gadkari was reappointed.

Such an imposition is maybe disliked by some members who feel that by this time they have won recognition on their own. Yet they never challenge the RSS because they have seen that a few who did went out unsung and unwept. Since their differences are never over the ideology, they continue to be a part of the big family.

The RSS knows whom to project and when. Gujarat Chief Minister Narendra Modi has started behaving as if he will be the prime minister

when the BJP forms the government after the 2014 general elections. The RSS has criticised the party for having too many persons harbouring the ambition of becoming prime minister. Maybe it feels that it is too early to project Modi. Maybe, it believes that his name will daunt many liberals sitting on the fence thinking of voting for the BJP.

But what the RSS doesn't seem to realise is that Modi's candidature will divide the nation, which does not accept him in any shape after what he did to the Muslims in Gujarat. He is yet to clear himself from the various cases filed against him. That the Supreme Court misjudged the credentials of former IB chief R.K. Raghavan when it appointed him as head of the Special Investigation Team (SIT), which has exonerated Modi, does not mean that the mistake cannot be rectified. His report is anything but unbiased. The RSS should wait till Modi is exonerated.

The unhappiness of Advani is understandable because he led the oustees from the Janata Party to assemble them under the umbrella of the BJP. He finds the RSS, which he served as a loyal soldier, has not allowed him to become the opposition leader of the house, the Lok Sabha. In fact, he owes it to the BJP parliament members who rehabilitated him by creating the position of chairman of the parliamentary party. The people's dilemma is that both national parties, the Congress and the BJP, riven as they are with groupism and ambitions, do not qualify to lead the nation. How I wish there was some party, even though small, that had the vision to retrieve the country and take it forward.

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THIS DAY IN HISTORY

June 9

- 1815** End of the Congress of Vienna: the new European political situation is set.
- 1900** Birsa Munda, an important figure in the Indian independence movement, dies in British prison under mysterious circumstances.
- 1946** King Bhumibol Adulyadej ascends to the throne of Thailand. He is currently the world's longest reigning monarch.
- 1967** Six-Day War: Israel captures the Golan Heights from Syria
- 1999** Kosovo War: the Federal Republic of Yugoslavia and NATO sign a peace treaty.