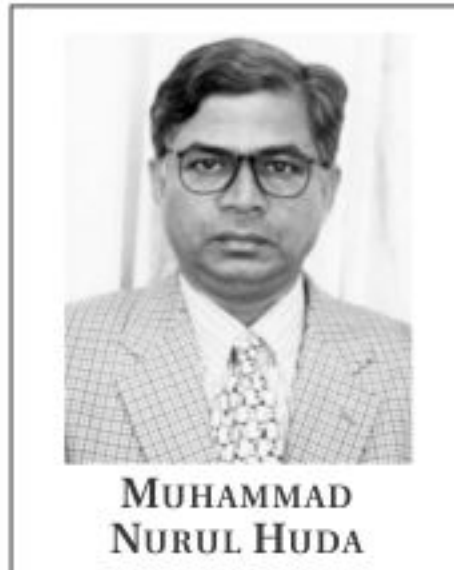


STRAIGHT LINE

POLICING IN SOUTH ASIA

Deficiency and desirability



MUHAMMAD
NURUL HUDA

A popular view is that policing in South Asia does not command the confidence of the public because it is seen as oppressive, unfair and woefully inefficient.

Consequently, the police are frequently alienated from the communities they serve and hence have less chance of successfully containing crime, civil unrest and extremist violence. Even when in desperate need, a visit to the police station is often viewed as a measure of last resort. Across the region a number of common problems plague policing.

"A culture of impunity exists for wrongful acts perpetrated by the police. Abuse of power, bias, corruption, illegal methods and excess use of force are, even when well documented, left unattended and unpunished. Common abuses include extra-judicial killings (otherwise known as "encounter deaths"); the widespread use of torture as a premier method of investigation; unjustified arrests; refusal to register First Information Reports; detentions beyond permissible statutory time limits; reluctance to accept complaints or investigate them; and giving false evidence."

There is very little effective oversight or review of police conduct. Linked to the issue of impunity, having such mechanisms in place greatly enhances the likelihood that police will behave lawfully. However, none of the countries in Commonwealth South Asia have what could be described as a transparent and functional external (or internal) accountability mechanism that complies with international good practice.

Legislatures should constantly be overseeing the effectiveness of policing, but in fact spend little time examining the issue of police performance. Though ad hoc commissions of inquiry or national human rights institutions exist in each South Asian country, they have proved unable to hold police accountable for malfeasance or to change its methods.

"Illegitimate political interference in all aspects of police administration is endemic throughout the region. It is not uncommon for transfers, promo-

tions and issues of tenure to be dictated by considerations other than fairness or merit. Consequently, the treatment of law and order problems and the pace of crime investigation is often coloured by this issue. Political interference is one of the most pervasive and insidious problems that undermine the professionalism of police personnel throughout South Asia. The situation makes it incredibly difficult for diligent and honest officers to maintain their integrity and expect to also advance their career."

The police suffer from a serious lack of resources. Despite increasing budgetary allocations, financial resources for law enforcement are poorly deployed and managed. As a result, police officers at the thana (police station) are often deprived of the basic necessities required to do their jobs with any level of efficacy. For example,

Reform will not succeed unless police have a greater respect for the rule of law and democratic norms. An efficient and well provisioned police without constitutional values is likely to be a harsher entity than even at present.

public complains cannot be written because paper is frequently out of stock and if a vehicle is available for use, then it is without petrol. Moreover, irrational provisioning results in surreal situations where hardware is provided (i.e. computers, mobiles, radio sets for forensic equipment), but essential peripherals, maintenance contracts, or training for use are absent.

"The conditions and conditioning of the lower ranks are unconscionably bad. In addition to the fact that recruitment is often marred by bribery and influence peddling, the officers ultimately employed often fail to reflect the demographic composition of the community being policed. Further, police to population ratios are well below international norms because many sanctioned positions remain vacant."

It is not uncommon for police personnel to work 24-hour shifts without a rest day or live in sub-standard barracks. These inadequate conditions of the lower ranks are exacerbated by non-existent or deficient training in investigative techniques and crime

scene examination. Under these circumstances it is hardly surprising that the police are surly, discontented and unmotivated. The consequent public alienation further isolates the police and continues a vicious cycle of mutual distrust that only gets worse with each passing year.

It is a considered view that there must be clear understanding of what kind of policing is required by a democracy. Policing in South Asia requires reform of the relationship between police and the political executive, improvement in the management and leadership of police, attitudinal changes of all stakeholders, improvements in provisioning and, most of all, much better external oversight and accountability. These issues have to be considered at the outset and kept at the forefront of any discussion on reform.

A prime imperative is to define the contours of the executive-police relationship. In any democracy the ultimate responsibility for ensuring public safety and security lies with the people's representatives. The police are implementers. As such, the police and political executive are both bound together in the common endeavour of preventing and investigating crime, maintaining law and order and ensuring that the people have a well functioning essential service that protects life, property, liberty and creates an environment within which citizens -- especially those that are most at risk such as women, children, minorities, the aged and disabled -- can enjoy guaranteed constitutional rights to the fullest.

For policing to work in an efficient and unbiased manner, the powers and responsibilities of each entity involved have to be properly articulated. A careful balance has to be struck between legitimate "supervision" of the police by the political executive and illegitimate interference and influence. Conversely, the police must always remain accountable to elected politi-

cians for upholding the law and to perform its duties in accordance with law. If this balance is properly struck, then democratic policing will be inevitable. That is why it is so important to carefully define what "superintendence" of the police actually means and to carve our spheres of competence that ensure that the power of the executive is conditioned while the police have operational responsibility.

The management and provisioning of finances, infrastructure and equipment must be suitable and sufficient to ensure exceptional performance. Even if directing more funds to law enforcement is impossible, priorities for its use need to be redefined and actual expenditures examined to ensure optimum utility. This is not presently the case.

Reform will not succeed unless police have a greater respect for the rule of law and democratic norms. An efficient and well provisioned police without constitutional values is likely to be a harsher entity than even at present. The entrenched social conditioning of police has to be addressed if sustainable police reform is to be achieved. For instance, law enforcement agencies in the subcontinent rarely reflect the multicultural and multiethnic populations they police.

The Sri Lanka Police Service is almost exclusively Sinhalese and is increasingly perceived as siding with that ethnicity. In addition, scheduled castes/scheduled tribes and Muslims are grossly underrepresented in the higher ranks of Indian policing. Moreover, none of the countries in commonwealth South Asia have sufficiently incorporated women into the police services. An important step would be to recruit more minorities and marginalized groups into the policing fold.

"Ideally, police reforms need to be done in tandem with reforms in the criminal justice system and in broader governance. To focus on reforming the police while ignoring these other critical sectors will guarantee failure on all fronts. Nevertheless, waiting to solve all is a certain way of solving none. By zeroing in on this one sector, and seeking to right it tensions will inevitably be created in what is a largely static and feudal system. Reforms in policing can stir a moribund system into action, thus overcoming the inertia that plagues the region."

The writer is a columnist of The Daily Star.

Welcome holy Ramadan

Let us observe it in its true spirit

THE holy Ramadan, a month of self-purification through fasting, begins across the country today as the new crescent moon was sighted yesterday evening in Bangladesh.

In Bangladesh, as elsewhere in the Muslim world, the faithful have begun to observe fasting through abstinences/ denying themselves foods and drinks between sunrise and sunset. But observing Ramadan in its true spirit does not end with merely abstaining from food and drinks. How faithful a Muslim is get tested in this month through the rigours of fasting, praying, purging one's body, mind and soul of all vices and sinful acts. Islam dictates that by realising the pain of hunger and thirst through fasting, a Muslim would feel compassion towards the indigent ones who find it hard to get two square meals a day. In this way, they are expected to understand the message of Almighty that all humans feel equally when exposed to the sufferings of starvation, thirst and other kinds of worldly cravings.

In Bangladesh, with the advent of Ramadan, a section of people are found to commit the worst form of haram (the forbidden things in Islam). They adulterate food items, apply poisonous chemicals to preserve fruits, hoard essential commodities and hike up their prices manifold to earn windfall profits without any qualm. Worse still, we are alarmed to see a section of traders, wholesalers and retailers colluding together to artificially raise the prices of essentials in the month of Ramadan. The practice has become somewhat of a ritual in itself and it is hoped that this year, the authorities will make headway in containing prices within acceptable levels to lessen the pains of the people who have borne the brunt of severe food inflation for the better part of the year. It is hoped that the Muslims in Bangladesh will shun such sinful practices, establish the true spirit of Ramadan, and be compassionate and tolerant towards their fellow people in every sphere of life.

The passing of a master storyteller

Leaving a nation in mourning

HUMAYUN Ahmed aged 64 breathed his last in a New York hospital on June 19 after a prolonged fight against cancer. The writer will no longer enthral readers and viewers with his uncanny ability to weave stories around everyday lives that touched the hearts and minds of millions of the middle class and the common man. How does one pray tribute to Ahmed? A professor of chemistry, he made the transition successfully to fiction writer extraordinaire. Ahmed won the Bangla Academy Award in 1981 and Ekushey Padak in 1994.

What made him stand out from many others was his portrayal of the little things in life which often go unnoticed. The intricate relationships that exist within the family, the conflict of ideas between the older and younger generations, Ahmed excelled at bringing out ironies and pretences that exist in our society and weave stories rich in mirth that won him devoted followers who bought his books in their hundreds of thousands. Ahmed's writing extended beyond novels and he was an accomplished playwright. Some of his memorable plays include Ei Shob Din Raatri where one of the characters Baker bhui, a hoodlum with a difference, acquired a cult-like following. It was his ability to touch deep rooted emotions of society that made Humayun Ahmed's works bestsellers.

It was Ahmed who was able to produce stories that the whole family could read and his greatest contribution lies in the fact that here was not only a brilliant teller of tales and a commercial success, but who went on to amaze with his direction of award-winning films. Aguner Parashmoni, Ahmed's first foray into the silver screen won him the National Film Award in eight categories, including Best Picture and Best Director. There will always be those who will contest whether Humayun Ahmed fit the role of a model writer. His fans will tell a different story. They will remember him as the one who broke the mold and inked the lives of the unnoticed in his

| The New York Times EXCLUSIVE

The world as a fishbowl

LI CONGUIN

A joke popular in China in recent years tells of an old Chinese woman and an old American woman who meet in heaven. "Just before I died," the Chinese lady says, "I could finally afford to buy a house."

The American responds, "Just before I died, I finally paid off my mortgage."

Though premised on stereotypes of spendthrift Americans and frugal Chinese, the story helps explain how an imbalanced world economy lost its bearings.

Two dimensions of the crisis distinguish it from past economic disruptions and explain its tenacity. The first is the paradox of credit, which is simultaneously dynamic and destabilizing. The expansion and dominance of global finance opened the gate for faster capital accumulation and material abundance, but at the same time sowed the seeds of crisis. In the United States relaxed monetary policies and esoteric financial engineering gave consumers easy access to luxuries such as bigger homes, better cars and more vacations, even if they had no savings.

A credit surplus in wealthy countries resulted in a production surplus in emerging, export-oriented countries such as China and Brazil. These imbalances have had negative effects for both sides. In the West manufacturing has been hollowing out for decades as industrialists migrate to developing countries, where labor, equipment and materials are cheaper. Moreover the middle class has shrunk, as the returns of a finance-driven economy have flowed to "fat cats" who control the levers of credit. In emerging economies,

urbanization and industrialization have lifted hundreds of millions of people out of poverty but also have exacted a heavy toll on the environment.

The second dimension of the crisis is its interconnected nature. The world is not flat -- it is more like a rapidly contracting fishbowl. Globalization explains why the thrashing of a small fish like Greece, which represents only 2.3 percent of Europe's economic output, has threatened to drown the Continent.

It also explains the plight of a goose farmer I got to know in a remote, moun-

While it is crucial for the United States and China, the two nations with the world's largest economies, to bolster their own development, they also need to strengthen cooperation with each other.

tainous part of Anhui Province in central China. Before the crisis, the down from a single goose could be sold for about 13 yuan (about \$2), but after the crisis the same amount of down sold for less than 7 yuan. The farmer's son, a migrant worker, was laid off from a factory after numerous orders from overseas were canceled.

In the 1970s and 1980s, countries such as China and India began to reform their economies, while information technology revolutionized production and marketing. But the global boom that resulted, with fast growth and low inflation, cannot be reproduced. The world economy has not found a new source of momentum since the Internet bubble burst in 2000. Instead financial institutions, governments and consumers have tried to

achieve prosperity through reckless lending and borrowing, much of it for housing. Now rising labor and resource costs, growing inflation pressure and large sovereign debts have made the levers of fiscal and monetary policy less effective.

What can be done? First, we cannot expect neoliberalism -- privatization, deregulation, free trade to revive growth. The credit paradox is only narrowly a financial crisis it is a crisis of faith, one that summons us to turn away from a capital-centered economy to a human-

centered one. Capital cannot be expected to be self-policing. To prevent it from mortgaging humanity's future, governments must reject laissez-faire attitudes. The "visible hand" of government is needed to manage the markets, revamp regulatory systems and bridle reckless behavior. Governments should encourage private businesses to invest in the "real" economy, to promote technological innovation and job creation rather than speculation and profiteering.

Second, the world's largest economies -- the United States, China and the European Union -- must improve coordination on macroeconomic policies, as well as regulation and trade, and resist the temptation of protectionism.

Third, balance must be restored, between the financial sector and the

real economy, between domestic and overseas demand, and between developed and developing countries. China has moved to encourage domestic consumption instead of relying solely on exports.

The Great Depression and the Second World War were followed by revolutions in aeronautics, nuclear energy and space exploration. The oil crisis of the 1970s was followed by an information-technology revolution. Only further innovation in science and technology can promote productivity and eventually lead the world out of the current crisis. China spent 861 billion yuan (almost \$136 billion) in 2011 to boost science and technology, an increase of 21.9 percent from the previous year.

While it is crucial for the United States and China, the two nations with the world's largest economies, to bolster their own development, they also need to strengthen cooperation with each other in trade, investment, finance, infrastructure, technology and other fields. The two economies have become highly interdependent: Last year bilateral trade topped \$450 billion and mutual visits exceeded 3 million.

Frictions are hardly avoidable, but what's important is for the two sides to handle their differences through coordination based on equality and mutual understanding. Only by acknowledging our extreme interdependence will we make the fishbowl effect work for humanity, rather than against it.

The writer is the president of Xinhua News Agency, the Beijing-based official press agency of the People's Republic of China.

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THIS DAY IN HISTORY

July 21

1403

Battle of Shrewsbury: King Henry IV of England defeats rebels to the north of the county town of Shropshire, England.

1774

Russo-Turkish War, 1768-1774: Russia and the Ottoman Empire sign the Treaty of Kuchuk-Kainarji ending the war.

1969

Man takes first steps on the Moon. American Neil Armstrong becomes the first man to walk on the Moon.

1954

Peace deal ends Indo-China war. The major world powers have reached agreement on the terms for a ceasefire in Indo-China, ending nearly eight years of war.

1994

Labour chooses Blair. The MP for Sedgefield, Tony Blair, is confirmed as the new leader of the Labour Party.