

Extrajudicial killings undermine the legal system

The matter needs serious attention

ACCORDING to a local rights organisation, extrajudicial killings crested in the outgoing year, the highest number in our history. The spike can be attributed to the government's anti-drug drives, which resulted in nearly 300 deaths, mostly of petty drug peddlers and dealers. Other forms of alleged human rights violations such as enforced disappearance, arbitrary and unlawful detention, and abduction have gone on, disturbingly, in tandem.

This paints a grim picture of the overall human rights situation in the country. By any standard, the fact that as many as 466 people were killed in crossfire and police custody is extremely worrisome. That these people were not given the chance for a fair trial undermines the rule of law. Furthermore, it erodes public faith and confidence in the judicial and law enforcing system.

As we have stated repeatedly, the law enforcing agencies should not act as the judge, jury and executioner. What's even more distressing is the fact that many victims of the alleged extrajudicial killings were members of the opposition parties. Often, the official explanation given by the law enforcement agencies directly contradicts the statement of the family members and the witnesses.

The Awami League government, in its third consecutive term in power, should address the disturbing issue of extrajudicial killings and enforced disappearance. While tackling and preventing crime should be the top priority of the law enforcing agencies, they should not take measures that, in themselves, are in breach of law.

The ruling party has renewed its promise to ensure rule of law and good governance after assuming office for the third term. It can start by taking a stern position to stop serious rights abuses like extrajudicial killings and enforced disappearance. Only then, its attempt to curb other violations and deliver good governance will succeed.

Stop this delinquency once and for all

Extortion from vendors goes on unabated

THE recent incident of clash, allegedly, between two groups of Jubo League men over the collection of extortion money and the demarcation of the territory for extortion in the capital's Mirpur area, that include the vendors using the footpaths in that area, is a cause for concern. In the clash, one Jubo League man was killed and two others were injured. Needless to say, the hawkers in the area have to live in constant fear of such incidents taking place on a regular basis.

It is an open secret that hawkers all over the city are forced to pay extortionists and the situation of the 5,000 vendors in Mirpur is no different. According to The Daily Star report, hawkers in Mirpur-10 roundabout and the adjoining areas have to pay Tk 100 to Tk 400 daily to the extortionists and an estimated Tk 50 to 60 lakh is extorted monthly from street vendors in the area. This is a huge amount of money and it is only natural for the beneficiaries of this money to engage in clashes in order to take the bigger share of the amount. This is exactly what happened in this case. Several clashes had taken place between the two groups in the last few months for taking control over the area of extortion which left many people injured.

In order to stop this crime, the nexus of local criminals, political party leaders and activists and local law enforcers—who are all involved in this extortion—must be broken. Also, the local administration should earmark areas for vendors to ply their trade so that the footpaths can be freed for use by pedestrians only.

LETTERS
TO THE EDITOR

letters@thedailystar.net

Parliament taken over by businessmen

Levitksy and Zibblatt, professor of politics at Harvard University, commented how a businessman, Donald Trump, took over the presidency of the United States of American which is a concerning sign of authoritarianism. However, the fact of the matter is that this has now become a worldwide phenomenon. And Bangladesh is also experiencing the same situation.

Since 1971, we have seen how the involvement of businessmen in politics has been on the rise in our country. According to the latest data provided by Sushasoner Jonno Nagorik (SUJON), 61.7 percent of parliament members who have been elected to parliament in the elections of December 30 last year are businessmen. This is a matter of serious concern for Bangladesh where democracy is already reeling.

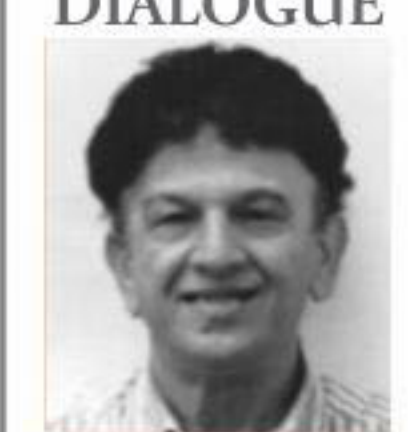
Enacting and changing laws, passing the national budget and other duties concerning the executive branch of the government are all important functions of parliamentarians. But when the majority of parliamentarians are businessmen this could be problematic for the nation.

In many cases, as we have already seen, businessmen in parliament make use of state apparatus to promote their own business interests. And that obviously clashes with the interest of ordinary citizens. Therefore, we should all take a careful look at the state of our current parliament, and how that may affect our nation going forward.

Akmal Hossain, University of Dhaka

Challenges in implementing the new government's manifesto

AN OPEN
DIALOGUE



ABDULLAH SHIBLI

“MANIFESTO implementation main challenge”. Thus read the headline on the online edition of *The Daily Star* on January 7. It quoted the General Secretary of Awami League (AL) talking to reporters at Bangabhaban after the oath-taking ceremony of cabinet ministers. The party leader, who is also the Road Transport and

Bridges Minister, surely was not engaging in a pre-election empty talk in an effort to rouse up his loyal supporters. His audience, consisting mostly of journalists, cannot be dismissed as uncritical members of the ruling party's fan club. Therefore, it is a fair hypothesis that the minister is aware of the difficulties ahead as the new, as well as more seasoned, ministers take a closer look at the list of promises that the victorious AL party made.

The 21-point AL Manifesto not only pledged to strengthen the rule of law and democracy, but also sets very detailed and substantive targets to keep us on the “Road to Prosperity”. In fact, the manifesto sets some economic goals, notable among them an increase in the GDP growth rate to 10 percent by 2023-24, rapid growth in per capita income, and a significant jump in the rate of investment in the country. The manifesto offered to increase our capita income by almost 50 percent to USD 2750 by 2024 and three-fold to USD 5479 by 2041. The rate of investment is will increase to 40 percent by 2041, according to the manifesto.

In the manifesto, the most important and tangible target aimed by the government is the commitment to push the growth of GDP to double digits by the end of its term in 2023-24. In fact, in an interview with Yuji Kuronuma and Gwen Robinson of Nikkei Asian Review, the PM expressed her confidence that Bangladesh will attain a 10 percent annual growth rate over the next three years. “If elected, I can assure you that the programme we have undertaken will get us up to 10 percent by 2021,” she said.

Achievement of social, economic, and political goals underlying the manifesto are major tasks and the question on everyone's mind has to be, does the government have any clear plans, or does the manifesto provide any guidance on how these targets will be reached? The purpose of these questions is not to cast doubts on official claims but to raise awareness of the many challenges the new regime faces.

Some Bangladeshi experts have voiced their misgivings about the feasibility of many of the listed goals. “There is nothing called impossible but at the same time it is not easy to achieve ambitions. The slip is between the cup and lip,” Dr Ahsan H Mansur, Executive Director of Policy Research Institute (PRI) told a local newspaper. “In the election manifesto, both parties have shown there are significant expectation gaps.”

To take an example, only a few days ago, many local newspapers ran a story to the effect that the Centre for Economics and Business Research (CEBR), a London-based think tank, published a report entitled “The World Economic League Table, 2019” which forecast

that our GDP growth rate would be robust in the coming years but would still stay in the 7 percent range. To quote from its “Country Forecast” section on Bangladesh, it says, “We expect annual rates of GDP growth to average 7.0 percent between 2018 and 2033. This will see the country climb 19 places in the World Economic League Table to become the world's 24th largest economy by 2033.” Not bad, and should the GDP growth rate jump to 10 percent, we will definitely be ranked much higher, which certainly will be a phenomenal achievement.

A new government must be given a little bit of breathing space, or what is called the “honeymoon period” in the western media, before we hold its foot to the fire. Some of the ministers are new and might take a few weeks before they can fully initiate an action plan to deliver on the various goals. However, each minister took an oath to discharge his/her responsibilities “with

scale. It still remains a serious malady, almost like cancer, in our society and during the last five years there has hardly been any movement in mitigating the scourge of corruption. The outgoing finance minister echoed the sentiment expressed by many when he said that we have corruption entrenched in every pore of our society.

While unveiling the AL Manifesto, the PM said, “For the first time in the country, 10 megaprojects are being implemented at a time. We are committed to implementing these megaprojects,” she said while unveiling her party's election manifesto. In fact, a careful examination shows that five (7, 15, 18, 20, and 21) of the 21 points in the manifesto are linked to completion of megaprojects, including the Padma Bridge, highway projects, and improvement of myriad of transportation connecting Dhaka and Chittagong. However, many of these projects have experienced



Awami League General Secretary Obaidul Quader.

FILE PHOTO

honour and dignity and achieve excellence in performance.” The PM has also put the incoming cabinet on notice that the ministers would be judged on the basis of his or her performance. The PM, who will be adorning her chair for an epoch-making fourth time will undoubtedly be shouldering a heavier responsibility given the heightened expectations from her followers as she promised to set new records which will catapult her into our history books.

An item by item analysis of the 2018 election manifesto of AL would be a major undertaking for a weekly column. Nevertheless, it may not be too audacious to take on two of these, corruption and megaprojects, and the nexus of these phenomena. In the 2014 election manifesto, the ruling party promised to control corruption by enforcing the laws on the books, creating social sanctions, and using strong political pressures. Unfortunately, there is ample evidence that corruption is continuing at an unabated

delays, cost overruns, and other forms of problems. Dr Badiul Alam Majumdar, a columnist of *The Daily Star* and Secretary, SHUIAN, Citizens for Good Government, offers the following perspective. “Many megaprojects, undertaken in the name of development, have witnessed a repeated escalation in their budgetary allocation. A big chunk of the resources spent on these projects has lined the pockets of the self-seekers. The circle of corruption has expanded considerably” (translated from a Bengali press report).

Against this backdrop, one can only imagine the heavy responsibility that the Road Transport and Bridges Minister bears in his twin roles, as he oversees the implementation of the manifesto and completion of the megaprojects in time and within the budget.

Dr Abdullah Shibli is an economist, and Senior Research Fellow, International Sustainable Development Institute (ISDI), a think-tank in Boston, USA. His new memoir, “Fairy Tales: Stories from My Life” will be published by Jonantik soon.

Quota politics in Indian election season

PALLAB BHATTACHARYA

QUOTA politics has taken the centre stage ahead of fresh parliamentary elections due in April-May of this year. The Lok Sabha, the lower House, and the Rajya Sabha, the upper House of parliament, passed Prime Minister Narendra Modi government-sponsored constitution amendment law envisaging a 10 percent quota in government jobs and admission in higher educational institutions for economically weaker sections who are not covered by any existing reservation for Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBC) who already enjoy nearly 50 percent quota facility.

Among the intended beneficiaries of the 10 percent quota for economically weaker section is a sizable chunk among the upper castes who have traditionally formed a core support base of the Bharatiya Janata Party. Those who are eligible for the benefit are people with household income of less than Rs 8 lakh per year, have less than five acres of agricultural land, have a house smaller than 1,000 sq feet, a residential plot less than 100 yards in a municipality and a housing plot of less than 200 yards in a non-notified municipal area.

Political imperatives behind the government's 10 percent quota move are not hard to miss. The government's assessment is that economically weaker sections not covered by existing reservations make up a sizable portion of the Indian electorate and they need to be wooed in the run-up to the elections.

Caste and quota politics is nothing new in India as caste fault lines remain as gaping as ever, prompting parties to be mindful of getting caste equations right when it comes to the choice of their office-bearers.

The remarkable swiftness with which the Modi government moved to prepare the quota law reflects these imperatives. The federal cabinet cleared the law and both Houses of parliament also cleared it—all this happened in a span of just three days from January 7 with little difficulty in the way.

If the government wanted to take the credit, the opposition also did not want to lag behind and promptly backed the law even while questioning the timing and the motive behind it. When it comes to competitive populism, ideological divides blur, more so when election season is around the corner. Look at the overwhelming parliamentary support the law got in parliament—323 votes in favour as against just three in the Lok Sabha and 165 in favour and only seven

caste votes. But it angered the upper castes whose resentment many believe was reflected in the outcomes of the recent elections in India's three key heartland states of Madhya Pradesh, Rajasthan and Chhattisgarh where the BJP was voted out. The apex court order had triggered widespread unrest among lower castes and Dalits particularly in north and central Indian states and violent street protests had been witnessed.

Caste and quota politics is nothing new in India as caste fault lines remain as gaping as ever, prompting parties to be mindful of getting caste equations right when it comes to the choice of their office-bearers, candidates in elections and social welfare schemes. The politics of reservation took centre stage in 1989



Rahul Gandhi and Narendra Modi.



PHOTO: AFP

against in the Rajya Sabha. Even Mayawati-led Bahujan Samaj Party and Akhilesh Yadav's Samajwadi Party, which fiercely champion the causes of Dalits and other lower castes, supported the law because they did not want to be seen as stalling it as the issue at stake makes for a huge vote base.

The quota move by the Modi government is being viewed as an effort to appease upper castes who are reportedly upset over the government's passing a constitution amendment law (SC/ST Prevention of Atrocities Act) overturning a Supreme Court order that struck down a legal provision of automatic arrest of any person indulging in atrocities against Dalits and other lower caste members. The BJP's anxiety was not to alienate the majority lower

when the then government of Prime Minister VP Singh implemented the Mandal Commission report providing for quota in government jobs to OBC. That was a well-calculated step by Singh under the garb of social justice to counter the rising political and electoral graphs of the BJP in what came to be known as the “Mandal versus Kamandal” (used in Hindu worship rituals) battle. It did not help the VP Singh dispensation survive and it fell in 1990 paving the way for fresh national elections. When the Congress party returned to power under the leadership of PV Narasimha Rao, who was called the “Chankaya” of Indian politics for his crafty moves, his government had introduced in 1992 10 percent reservation for the poor among the upper castes.

Both the Mandal Commission recommendation of quota for OBC and Narasimha Rao government's 10 percent quota were challenged in the Supreme Court. The top court upheld the Mandal panel's recommendation while ruling the reservation for economically poor among forward castes as untenable with the Constitution. In fact, caste-based quota beyond the 50 percent ceiling has been struck down by courts more than once. In that light, it remains to be seen if the Modi dispensation's 10 percent quota move will withstand legal scrutiny. Expert opinions on this are divided.

The Modi government has revived the old debate: Does the Indian constitution endorse quota on the basis of social or economic exclusion? It also raises once again the crucial and sensitive question: What should be the marker for reservation—social subjugation or economic backwardness, irrespective of caste? If the 10 percent quota for economically backward sections is challenged in the court, the government is likely to contend that the step does not alter the basic structure of the constitution and all it does is usher in the economic yardstick for providing quota.

Many parties have in the past often spoken in favour of quota for economically backward sections but hesitated to take the plunge for fearing of losing crucial support of the lower castes. What the Modi government, by its latest move, has done is broaden the justification for providing quota by including the criteria of economic backwardness.

There seems to be an element of desperation in the government's move as it finds that the coming general elections are shaping up to be much tougher than speculated six months ago. The BJP's aura of invincibility in electoral battles has been seriously questioned by the Congress' victory in its recent triumph in the heartland states. The BJP is clearly hoping to turn the poll campaign narrative with the latest quota law. But in the ultimate analysis, one must not forget that quota politics tends to perpetuate a mindset of government patronage and is a clear acknowledgement of the reality that economic progress has remained skewed.

Pallab Bhattacharya is a special correspondent for *The Daily Star*.