

## Ruling party's unbridled students' wing

Why can't they be reined in?

IT is an incontrovertible fact that most of the incidents of student clashes in the colleges and public universities in the last decade have been between BCL factions, most often with very serious outcome. In the absence of effective presence of student wings of other political parties, most of these clashes were instigated mainly by the desire among various factions of BCL to control the turf in the campus, vitiating the atmosphere. But their wayward activities have not remained confined within the campus. They acquired a feeling of impunity even more when they were used as virtually an auxiliary to the police on several occasions. We have been exhorting the ruling party in this very column to prevail on its student wing to exercise restraint, apparently with no avail. On the contrary, they have gone about in their errant ways with complete impunity.

The latest Chhatra League factional fight occurred in Jahangirnagar University on July 2 where some of its members were seen wielding dangerous weapons while chasing their rivals. That clash, originating from a very trifling matter, resulted in the injury to at least 60, by some reports 80 people, including several teachers and policemen.

We would like to once again appeal to the central leadership of the Awami League to come down strongly on its student wing whose activities have sullied the name of the party. It has been in power for the last 10 years and will be so for the next five, the election controversy notwithstanding. We wonder why the unruly elements of the BCL cannot be reined in. Admittedly, these elements come in handy during elections, but since there are no electoral challenges for the next five years, they should be restrained from violence and intra-party clashes and made to concentrate on more productive engagements.

## 40 percent of Dhaka's water is contaminated

What excuse will Dhaka Wasa give now?

ACCORDING to the result of a joint study on water quality of Dhaka Wasa by ICDDR,B, and BUET, four out of ten Wasa zones are contaminated. The tests were conducted on water samples collected from 34 areas in 10 zones and high levels of arsenic and chlorine were found to be present. The High Court had earlier directed the Local Government and Rural Development to have the tests done and have the report submitted to it by Sunday next.

We thank the court for its timely intervention, particularly in light of the fact that Wasa officials had steadfastly been claiming that the water supplied to Dhaka residents was safe for drinking. That position later changed on May 16 when the water supply agency admitted that 57 percent of the areas where it supplied water was polluted due to faulty pipes. Now that we have conclusive evidence about how bad the situation is and precisely which areas of the city are adversely affected, what will Wasa do about it? Will it be more of the same, as in resorting to delaying tactics to not take responsibility? Or will we see some positive steps to rectify a serious public health hazard that has the potential to cause harm to millions of residents? What has been plain to residents in various parts of the city took a court order to force the authorities to step up and admit that there's something seriously wrong with the quality of water. Instead of making ridiculous statements that the water is completely safe to drink, Wasa needs to take appropriate steps to contain bacterial contamination. Funds need to be allocated immediately for technical support that will allow the supply authority to regularly monitor water quality and do necessary repairs to its network so that safe drinking water can be supplied to all of Dhaka's residents.

## LETTERS TO THE EDITOR

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### Income inequality hampers development

Income inequality has been increasing at an unprecedented rate due to the further increment of wealth concentration and the increase in the number of ultra-rich people in the country.

According to a report of Wealth X, Bangladesh was positioned at the top three of a list that projected a growth of 11.4 percent for people with high net worth from 2018 to 2023. Though Bangladesh progressed a lot in reducing extreme poverty, the widening of income inequality among the rich and poor lately has posed a major challenge in establishing an inclusive society for all.

Economists stipulated that subsidies, tax exemptions, imprudent macroeconomic policies, frequent loan scheduling of habitual loan defaulters, and government's weak policymaking are not only responsible for fuelling income inequality in the country, but are also major barriers to sustainable development. The weak fiscal framework where the burden of taxation falls on the shoulder of poor people further deepens economic and social disparities.

Experts and others suggest that higher budgetary allocation to health, nutrition, vocational and polytechnic education, reforming the education system, and bringing the affluent people under the tax net might reduce income inequality in society.

Md Parvez Alam, By email

# Rahul Gandhi's resignation: Three inconvenient issues

BLACK, WHITE AND GREY



ALI RIAZ

THE public announcement of the resignation of Rahul Gandhi as president of the Indian National Congress on Wednesday was surprising and expected, at once. Soon after the results of the Lok Sabha were announced on May 23, 2019, which delivered a serious blow to the Congress as the Bharatiya Janata Party (BJP) returned to power with more seats defying all predictions of a contested election, Rahul Gandhi offered his resignation to the Congress Working Committee. However, many suggested that it was a mere posturing, because party leaders and supporters will urge him to stay "in the interest of the party and the nation" and he would continue to serve. This is a pattern we have seen before, in India and elsewhere in the region.

Congress leaders did appeal to withdraw his resignation, but in the past weeks it became clear that Rahul Gandhi was adamant and unwilling to relent. As such, it was stunning that he did stick to his decision. But it was also expected, because eventually Rahul Gandhi had to clear the confusion as to what is the way forward for the party. He did clear the air once and for all on Wednesday, by tweeting his four-page resignation letter.

In the backdrop of the devastating results for Congress in the election and Rahul Gandhi's resignation offer, questions are being asked: is this the end of the Nehru dynasty? Who will replace Rahul Gandhi? What is the future of the Congress? Considering the history of Nehru dynasty's trust with power in India and that *sans* Bangladesh, dynastic politics seems to be on the wane in South Asia, the question regarding the successor of Rahul Gandhi has assumed greater significance than a simple transition of power within a party.

Notwithstanding these important and pertinent questions, which will continue to be discussed for the coming days and perhaps weeks, the emotionally charged resignation letter has brought forth a few issues which deserve our attention not only to understand the contours of the Indian state and politics, but beyond the borders. Three issues stand out in the resignation letter; they are neither routine nor convenient.

Firstly, he is suggesting that there has been a transformation of the Indian state. The Indian state, we can conclude from his statement, is no longer capable of acting neutrally towards all political

actors and that the election in the "largest democracy" is no longer a democratic exercise but a sham. "A free and fair election requires the neutrality of a country's institutions; an election cannot be fair without arbiters—a free press, an independent judiciary, and a transparent election commission that is objective and neutral. Nor can an election be free if one party has a complete monopoly on financial resources." Rahul states, "We didn't fight a political party in the 2019 election. Rather, we fought the entire machinery of the Indian state, every institution of which was marshalled against the opposition. It is now crystal clear that our once cherished institutional neutrality no longer exists in India." There had been some discussions on the role of state machinery in advancing the BJP's interests, but

merely as a government for five years headed by Narendra Modi. "The stated objectives of the RSS, the capture of our country's institutional structure, is now complete. Our democracy has been fundamentally weakened," writes Rahul. In that sense, it is a regime, it has altered and continues to alter the institutions and the culture of the country. In describing it as a regime, I am drawing on the definition provided by Robert Fishman: "A regime may be thought of as the formal and informal organisation of the centre of political power, and of its relations with the broader society. A regime determines who has access to political power, and how those who are in power deal with those who are not." Regimes are more permanent than government and less permanent than the state. A regime intends and succeeds

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Rahul Gandhi formally resigned as Congress president on Wednesday.

PHOTO: AFP

pointing fingers at the administration as partisan was unexpected and alarming. For decades, discussions on the Indian polity and governance underscored the role of the bureaucracy, particularly its professionalism and neutrality. There have been debates about the relationship, yet the conventional wisdom has been that the Indian state has not become hostage to a party ideology. The Indian election commission, especially since TN Seshan (1990-1996) was the head of it, was considered as a model to emulate. Has that changed altogether?

The second point implied in the letter is that BJP's rule shouldn't be viewed

in changing the very foundation of the state—materially and ideologically. It has impacts beyond daily governance. It uses institutions to establish the ideological hegemony. The saffronisation of the Indian society, which had started after the election of 2014, is in full swing now and will gain momentum in the coming days. The result is a far less tolerant India than a decade ago. Its minorities—ideological, religious and ethnic—are now in the crosshairs of the Hindutva zealots; dissent is viewed as unpatriotic.

While for understandable reasons Rahul Gandhi blames the BJP and its ilk for this transformation, we must note

that Congress cannot claim that it has no role in it. The cultural foundation of intolerance was in part bred by Congress while it was in power. Even if we push aside the history, we will be remiss if we don't mention that even during the election campaign there was very little clarity on Congress' stand on the admixture of religion and politics. Unwilling to take BJP on an ideological battle, the Congress peddled soft Hindutva. It is hard to disagree with Anirban Bhattacharya that, "The battle of ideology was lost long before we went to polls. The results only confirmed that" ("The 'Secular' Forces Have Abandoned Secularism", *The Wire*, June 9, 2019). Perhaps it has dawned on him: "But we will not defeat our opponents without sacrificing the desire for power and fighting a deeper ideological battle." The question is: has Congress leadership realised it yet?

The third point of the letter points to the Congress itself. Rahul Gandhi takes responsibility for the debacle: "As President of the Congress Party, I am responsible for the loss of the 2019 election." However, the party Rahul Gandhi led, failed not only its supporters and well-wishers, but also him. "At times, I stood completely alone" is a testimony of a fractured party which now must come together. But it appears that more infighting has ensued after the election; it may become uglier now that the uncertainty about Rahul is over. How the Congress "rebuilds" and "radically transforms" itself is to be seen. This is a challenge not only for Congress, but the Indian opposition parties in general, as they have all failed to halt the rise of populist authoritarianism in India and bear some responsibility.

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## Empowering rural courts

HASANUZZAMAN and BJORN LOMBORG

INCREASING access to justice at the grassroots level can directly protect human rights of the rural poor. It is estimated that nearly 4 billion poor around the world cannot access the protection of the law and justice system.

A study by the Hague Institute for Innovation of Law (HiIL) and BRAC Human Rights and Legal Aid Services found that on average, 31 million people, mostly belonging to rural areas, experience legal problems every year.

Building upon its earlier success, the second phase of "Activating Village Courts in Bangladesh" (AVCB-II) is being implemented under a public-private partnership (PPP) modality with the aim of constructing village courts. The village court system is a quasi-formal dispute resolution mechanism. Mostly located in village areas for convenience, this system has demonstrated to be less intimidating and more affordable to a rural citizen than formal courts at the district level.

The research by Copenhagen Consensus and BRAC Institute of Governance and Development (BIGD) shows that at present, for each taka spent, the village court system is generating double returns in economic and social benefits. Although such a benefit-to-cost ratio is a positive sign supporting the rationale of village courts establishment, it does not capture the potential of village courts to reduce the backlog of cases in district courts.

If village courts are empowered as a quasi-formal justice system to deal with

more complicated and higher value cases, it could benefit Bangladesh's economy tremendously. Reducing backlog and making it more convenient for rural citizens to access justice, without having to travel to district courts, would generate nearly Tk 19 of benefits for each taka spent.

There are, however, many implementation challenges which have been identified by our researchers. Based on BIGD's political economy analysis, we have highlighted three specific issues which can be dealt quickly enough to

2019. The present PPP arrangement is ensuring inclusive participation of government, international agencies and local NGOs.

However, a key feature of the AVCB-II is that it relies heavily on the financial support from external partners, making it essential to critically examine the PPP aspects and institutional challenges of sustaining the village court system after 2019.

Secondly, capacity development of village courts needs to be prioritised. Village courts are run by elected UP

all UP personnel responsible for village courts and introduce measures that boost leadership and management performance. Some ways that can be done include transferring authority to other representatives when the UP chairperson is not available, improving the capacity of assistants to manage cases and using technology to filling out forms and drafting petitions.

The third issue relates to functional strengthening of the village court system in order to increase its legitimacy and relevance within the rural context. This



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PHOTO: AVCB-II

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empower village courts to move from Tk 2 benefit to Tk 19 benefit. NGOs will play a major role in supporting local government units to address these three issues, as they are experts in terms of public outreach and information dissemination. Interview findings show that Union Parishads (UPs), smallest rural administrative and local government units, were unable to perform well, and had an increasing number of postponed cases, during the pilot phase, particularly because they were lacking the necessary support from NGOs. The first issue relates to establishing local government ownership over the village court system. AVCB-II is expected to end in December

chairpersons who need to carry out electoral duties, and managed by assistants who lack management skills. This is hindering performance of village courts.

For example, in the absence of UP chairpersons due to other responsibilities or ill health, the right to transfer authority to another UP member needs to be included in the Village Court Act of 2006. The role of village court assistants is important because s/he often takes over some of the UP chairperson's heavy workload.

Based on BIGD's political economy analysis, we suggested that the Budget FY2019-20 should prioritise training

can be achieved in two steps: empowering village courts to deal with disputes valued at Tk 100,000, thereby exceeding the present Tk 75,000 cap; and allowing village courts to deal with transferred cases from district courts.

If cases were diverted from the district courts quickly enough, it would reduce the burden on the formal judiciary system and the law enforcement agencies, and ensure that the rural poor can gain access to legal remedies. The rationale for guiding the required policy reforms is also supported by our cost-benefit analysis.

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