

## Government functionaries in distress

### Hazards of doing one's duty

THE dastardly attack on Wahida Khanam, UNO of Ghoraghat upazila of Dinajpur, has brought to the fore the dangerous working environment that state functionaries at the ground level often find themselves in, especially when they abide by the rules. While their work should be supported by people irrespective of party affiliation, most of all by the ruling party members at the local level since it is the government policies undertaken in public interest that these officials are implementing, we find just the opposite.

It is no secret that local administration is often under pressure to entertain undue requests and even face intimidation to accede to demands in violation of rules and norms. Resisting such pressures incur the fate that befell Wahida Khanam. She is not even the first UNO in Dinajpur to have suffered at the hands of ruling party cadres for standing her ground. In October 2014, the Nawabganj UNO met the same fate for refusing to concede to undue demands. Five of the 13 UNOs in the district have reportedly expressed fear for their safety. This is entirely unwarranted and unacceptable. Ghoraghat is fairly representative of the situation in most parts of the country, regrettably.

The prevailing situation is a consequence of the criminalisation of politics, and the unbridled profligacy of the ruling party cadres at the district and upazila levels. A sense of immunity has helped in their ever-increasing recklessness. And the police, by their lack of proactive action, worsen the situation. In some cases, their apparent helplessness is stunning, which perhaps has to do with some police officials preferring to demonstrate their fealty more towards local politicians than to the public.

The leaders at the top are often heard announcing that criminal elements in the party would be purged, but nothing happens. The assurance of the ruling party general secretary that if any party member is faced with a charge-sheet, he or she will be expelled from the organisation, sounds hollow, since at the end of the day very few are.

It is imponderable that officials should have to risk their lives for going by the book, enforcing policies and ensuring law and order. This calls for a serious rethink by the ruling party leadership about the unlawful activities of party affiliates, whose unwarranted influence pervades all walks of life.

## Easing of entry ban for Bangladeshis

### A welcome move by Malaysian government

WE welcome the Malaysian government's decision to lift the entry ban that was imposed on citizens of Bangladesh and 22 other countries. In an attempt to curb the spread of Covid-19 in the country, the Malaysian government had earlier announced that people from countries with more than 150,000 Covid-19 cases would be barred from entering the country. The ban was imposed on residence pass holders, spouses or children to Malaysian citizens with long term visit passes, students and visit pass holders. A temporary ban was also imposed on permanent residents, Malaysia My Second Home (MM2H) pass holders, and employment pass holders as well. The decision was criticised by Malaysian employers, who urged their government to continue to allow expatriates and professional pass holders to come in as their technical skills are needed for the economy.

Around 800,000 Bangladeshis live in Malaysia, many of whom work in construction and plantation sectors as low paid workers. Many of these workers came home on vacation before the outbreak of the pandemic and became stranded here as the pandemic got worse in the country. Although they have been eagerly waiting to return to their workplaces, they could not do so due to the travel ban imposed by their employer country. Now, as the Malaysian government has eased the entry ban, this is an opportunity for our workers to return to their workplaces.

However, our expatriate workers might face problems in submitting the documents required by the Malaysian authorities—they will be required to write an application for entry and will also need a supporting letter from the Malaysian Investment Development Authority or agencies concerned. They must also be approved by the Malaysian Immigration Department before they enter the country. Our expatriate welfare ministry and other agencies concerned must help them in submitting their documents properly and oversee the whole return process so that our workers are not exploited or harassed in any way. Also, before they submit their applications, their employers must assure them that they will rehire them and help them in the immigration process.

## LETTERS TO THE EDITOR

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### Traditional games in crisis

Games and sports are one of the main sources of entertainment as well as physical fitness for people of any age. It helps in mental development of children and adolescents alike. But with the advancement of technology, the traditional games of rural Bengal—hadudu, ekka-dokka, kanamachhi, lathi khela, dariabanda, kukut, gollachut, danguli, among many more—are nearly extinct. There was a time when such games were an essential part of leisure activities and a source of unparalleled enjoyment. Due to the influence of TV, mobile phones and video games and inadequacy of playgrounds, today's children have lost touch with these games. These traditions that used to occupy an important place in our diverse culture are getting lost. I humbly urge all concerned to ensure the participation of the present generation by creating more opportunities to revive traditional games.

Abu Faruk, Bandarban

# Political contents of corruption and anti-corruption in Bangladesh



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THE coronavirus pandemic has been converted into a festival of corruption in the health sector in Bangladesh. Crises like these do increase the risk of corruption everywhere in the world. However,

there is perhaps no other country where corruption has been found to be as awkwardly pervasive as in Bangladesh.

The outrageous nature and dimensions of corruption of contractors and suppliers with real or manipulated political linkages, in collusion with a section of public officials in responsible positions, have been shocking for many. The scandal around N-95 mask supplies or fraudsters like Regent or JKG or the donor-funded Covid-19 Emergency Response and Pandemic Preparedness Project are but a few examples.

The list of such big-fish corruption is endless. Equally shocking has been the distressing instances of corruption in relief operations, including widespread allegations of misappropriation of relief goods for the worst affected and cash support to the ultra-poor, in which none other than the politically powerful, so-called public representatives reportedly played the dominant role. Corruption has been rife, from big procurement and supply related deals to the lowest level deliveries of services, including asking for bribes for the scheduling of Covid-19 tests and even a business of fake negative reports that has led several countries to close their doors to Bangladeshi nationals.

However, it will be naive to consider the health sector as the only villain. Put any other sector under similar stress as the health sector today and the scenario will be the same, if not worse. The financial sector for instance, has been pushed to the brink of collapse by the big shots who have captured the state to a level that among those who dictate terms for the banking and financial sector are the swindlers, launderers and defaulter, not the laws, rules or regulations.

For those who are beneficiaries of it, corruption is a matter of narcotic dependence while for those who are victims—the common people—it is an extremely distressing experience in daily life, which is indeed hostage to it. According to the national household survey released by Transparency International Bangladesh (TIB) in June 2018, 89 percent of respondents who experienced corruption reported that they were forced to pay bribes in order to access public services. The experiences are more or less the same in every sector while law enforcement, land administration and justice are among the worst affected.

Another striking feature of corruption in Bangladesh is that those who are entrusted with the responsibility to control corruption, for instance the Anti-Corruption Commission (ACC), are ineffective and politically influenced. A section of ACC officials are reportedly corrupt, and it doesn't have enough courage to exercise the institutional and legal mandate entrusted to it. It seems to have drawn a line beyond which it doesn't find itself confident to go. As a result, at best only some small fries in the sea of corruption are chased while the big fish remain untouched.

Anti-corruption pledges are repeatedly made from the highest level of the government, including the call for zero tolerance against corruption. Soon after the onset of the coronavirus crisis, the pledge was repeated that no corruption would be tolerated in the Covid-19 response. However, precious little is done

the iceberg. At the core of it is bedevilled politics and its increasing criminalisation is the collusion with a section of the law enforcement agencies and administration. Add to this the vicious cycle of a set of dysfunctional institutions of integrity and accountability.

Bangladesh's commendable performance in growth and its socioeconomic transformation could have been much better if it could achieve higher standards of governance and effectively controlled corruption, the cost of which is considered to be at least two to three percent of GDP. The country has performed poorer than many of its peers in terms of nearly every important governance indicator. In terms of the Rule of Law Index, Bangladesh was only 112th out of 126 countries in 2019. Our performance is equally poor in the Regulatory Quality Index, Government Effectiveness

the appetite and capacity to enforce it are likely to remain low.

The infrastructural, systemic and resource deficits in the health system, as well as other related sectors like social protection and education, may not only continue to cause public sufferings but can create more opportunities for corruption and rent-seeking.

Because of political linkage and influence, larger business entities including export-oriented ones, in their leapfrog race to benefit more from the stimulus package and other government support, are likely to make the medium, small and the vast informal sector lag behind. In the process, business integrity will be further undermined. On the other hand, media and civil society spaces may shrink further, at a time when the need for civic mobilisation for voice and accountability is more than ever.

As challenging as the job of anti-corruption is in this context, it is still not an impossibility. Much would depend on the extent to which the importance of the political magic bullet is brought home. Our political leaders need to realise that it is only in their hands that the Frankenstein's monster they have created can be controlled.

Other crucial entry points include the abolition of the culture of impunity and bringing the corrupt, especially the big fish, to justice. Systemic improvements like more robust and rigorous application of the digitised procurement system, as well as public service delivery, are well within the capacity of the authorities, given political will.

A key catalyst rests in the introduction and enforcement of a robust law to manage conflicts of interest so that public representatives and public officials at all levels are barred from having any business relations with the state.

The 2012 Anti-money Laundering Act that has remained a paper tiger must be enforced, while the Bangladesh Financial Intelligence Unit must be made effective. Professional skills and integrity of the law enforcement agencies and ACC that are mandated to control corruption and money laundering must be drastically reformed.

The National Board of Revenue should have long been able to control mis-invoicing, which is the dominant channel of illicit financial transfers. Bangladesh must adopt the global standard for automatic exchange of information on financial accounts that could facilitate robust tracking of financial flows within and across borders.

Over and above, effective delivery of anti-corruption demands a retransformation of values, norms and practices of political parties for public good and depoliticisation of the state institutions, without which there is no way corruption can be controlled.

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PHOTO: COLLECTED

to enforce and implement such pledges. Nowhere in the world are such pledges translated into reality by the head of the government personally. Ironically for us, a section of the people who are supposed to be in charge of implementing this highest level pledge are reportedly among the stakeholders and kingpins of collusive corruption; they benefit from it, promote it, protect it and facilitate impunity.

Stories of some corrupt individuals widely reported in the media recently, like the procurement mafia, casino dons, pillow and kettle scamsters, land-grabbing brothers from Faridpur, or the MP arrested in Kuwait, have been shocking. But in reality, as invariably linked to criminalised politics, these are neither surprising nor isolated. All these are syndromes of a cancerous disease that has been allowed to spread deep and wide in the political space across the country. What we read, hear and thus get shocked and awed at are just the tip of

Index, Voice and Accountability Index, Press Freedom Index, Political Rights Index, Civil Liberties Index, and not least the Corruption Perception Index. Bangladesh is also among a few countries where corruption even costs lives, as experienced in the case of Rana Plaza, Spectrum Garments, and the Nimtoli and Churhhatta tragedies, just to mention a few.

Against this backdrop, the advent of coronavirus and its fallout have only accentuated the challenges. Politically, indications are in abundance of increased concentration of power, decreased space for political dissent and further politicised and weakened institutions. All these may cause lower levels of law enforcement, increased impunity, reduced access to justice and redress, and increased discrimination. High level political pronouncement against corruption is most likely to continue at least as a perceived means of legitimacy, though

## We must do more to deter custodial violence



MUHAMMAD  
NURUL HUDA

THE conviction of three police officers working in one of the police stations of Dhaka metropolitan area for a custodial death that occurred years ago should be a shining example

in an otherwise murky environment. For too long, errant policemen resorting to inhumane third degree methods that resulted in deaths and grievous physical injuries could not be brought under the clutches of the law. It is therefore heartening to know that these errant policemen have been found culpable and that the court has pronounced the guilty verdict.

Concerned quarters would like to ponder on whether there is a necessity of change in the law of evidence, throwing the onus on the police to explain as to how a prisoner in their custody came to meet their death under suspicious circumstances. There is perhaps a need to impress upon the government to amend the law appropriately so that policemen who commit atrocities on persons in their custody are not allowed to escape by reason of paucity or absence of evidence.

It is police officers alone and none else who can give evidence as regards the circumstances in which a person in their custody comes to bodily harm. Bound by ties of a kind of brotherhood, they at times prefer to remain silent in such situations and when they choose to speak, they pervert the truth. The result is that persons on whom atrocities are perpetrated by the police in the *sanctum sanctorum* of the police station are left without any evidence to prove who the offenders are.

The law as to the burden of proof in cases of custodial torture or death may be re-examined by the legislature so that law enforcers do not use their authority and abuse opportunities to oppress the innocent citizens who look to them for protection. It is unfortunate that more often than not, there is a misplaced sympathy even for the law violating officer and instead of making the administration

bring him to book, there is a tendency to save him instead.

Under the circumstances, it is time to consider if when there is evidence that the injury was caused during the period when the person was in police custody, the court may presume that the injury was caused by the police officer having custody of that person during that period, unless the police officer proves to the contrary. One has to remember that the various constitutional rights and the

For proper law enforcement, it needs to be noted that lawless police officers must not be in demand when lawlessness and disorder prevail in an area. In fact, officers who are believers in the rule of law and followers of straight legal methods should be deployed to deal with difficult situations. We must not give in to short-term illusory results in our desperation to achieve and impress.

When a policeman indulges in third degree methods, he not only brutalises

political levels of the government, to weed out officers who, in their blind faith in the efficacy of illegal and immoral methods, still continue to besmear the professional integrity of a vital organ of the state. The political executives and senior police officials have to demonstrate in their thought and action that their battle against unclear and inquisitorial methods of law enforcement is a real article of faith with them. Even for bringing known predators to book, the slightest deviation



PHOTO: KAZI TAHSIN AGAZ APURBO (STAGED)

human rights of the individual suspect come under the direct handling of police in all stages of criminal investigations—from arrest to imprisonment.

We should be able to agree 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 has to be remembered that arrest and detention of a person can cause incalculable harm to the reputation and self-esteem of a person. Denying a person of their liberty is a serious matter.

himself but also degrades himself to the level of a criminal. In fact, he compares even less favourably than the criminal in his custody. Expediency, protection of society or the imperative need to bring an offender to justice are but poor arguments in favour of such a regressive action. The law does not approve of an investigator turning into another criminal in order to solve a crime.

The remedy for eradicating the evils of third degree methods and custodial violence is to organise determined efforts, both at the highest administrative and

from the lawful path will not be allowed to go unpunished.

Social control in the form of approval or disapproval of police action can motivate police to become just, fair and law abiding. If a society firmly refuses to condone or acquiesce policemen's unfair and illegal methods, such transgressions of law by law enforcement officers would be very few. The absence of so-called extrajudicial killings since August 1 is perhaps a point worth noticing.

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