

Political party registration

Address the issue wholeheartedly

THE caretaker government is thinking of introducing a law whereby it will be mandatory for the political parties to register with the Election Commission. So long it was optional on their part to enlist with the EC. That the political parties which are the pillars of a democratic edifice should remain outside any legal framework is an anathema. If democracy is about ensuring transparency and accountability of its institutions then the major political parties being themselves institutions in their own right should be obliged to operate under a legal framework.

So, we would urge the political parties not to look upon registration as a constraining factor in their politics or any fetter put on them but rather treat it as their natural obligation to uphold the rule of law. We have had words with political parties on the issue trying to understand as to why they voice their reservations about the proposition. Their major concern stems from party funding realities. Those who donate to a political party do so rather discreetly keeping their name from being divulged to a rival party. Government party may not take kindly to an opposition party donor.

This issue should not be sidetracked; rather it ought to be handled sagaciously and squarely. Hence, the EC will have to engage the political parties on a discourse over the matter to arrive at a mutually satisfactory registration procedure.

The overarching concern for reform ought to be the state funding of political parties. Think tanks, civil society leaders and experts have from time to time aired their views on auditing the accounts of political parties given that tyranny of black money interfering with the fair electoral process. State funding of political parties in the elections can provide a level playing field for candidates of all political parties, besides being a highly transparent operation.

We strongly advocate registration of all political parties through a consultative process between the EC and the political parties.

Reorganising the ACC

Autonomy is the key

THE Anti-Corruption Commission (ACC) is now poised for reconstitution following the decision to quit by the chief and the two commissioners from the statutory body.

These resignations have come about in the wake of various allegations against the ACC having put up a bad show since its inception as early as in 2004.

A proactive and proper functioning of the ACC is an important factor in creating an environment conducive to holding of an election that would be fair and free through instituting cases against black money holders and others who made money through all kinds of corrupt means.

Given the prevailing circumstances of high expectancy it is imperative that the replacements of the key positions in the ACC be made with utmost care. People chosen should be above reproach, highly professional coming from an unquestionable background with high moral and ethical qualities.

It is our view that restructuring and reorganizing of the ACC is a somewhat complicated affair. The Advisory Council should therefore proceed with a well-thought-out plan of action. Internal discord, and bureaucratic high-handedness were instrumental in sealing the fate of the original ACC. These will have to be scrupulously avoided.

There are various factors that need to be taken into consideration: like the organisation's autonomy, revision of the existing rules of procedures and freedom from all kinds of bureaucratic entanglements. The rules of procedures in force are not only weak but also inadequate. This aspect should also be taken into consideration. The newly formed ACC should be given maximum freedom in framing its own rules including setting up of the organogram.

The ACC's investigation capacity should be vastly strengthened with a prosecution wing added to it. Given the sincerity and commitment so far displayed by the caretaker government there is no reason as to why we should not have an ACC that is functional and we can all be proud of.

The evil, the ugly and the cleansing operation

STRATEGICALLY SPEAKING



Brig Gen
SHAHEDUL ANAM KHAN
ndc, psc (Retd)

One finds it hard to make out any difference between dishonest and corrupt politicians, the religious extremists, and dishonest traders. Each of these, by the way he or she conducts his or her business, endangers the lives of people and the security of the country in their own unique way. They are the faces of the evil and the ugly. The country has no need for them.

In general, the long-term political vitality of the nation has been sapped. But there are ways out of it. We can reinvigorate our system given the will of the people who have by now demonstrated that they are no longer willing to be pawns in the hands of the politicians, they would rather dictate politics than be dictated by it. The biggest slur on our politicians has been the surge of popular support for an arrangement that is not quite the conventional type of democracy yet having full popular support, that has provided the people with respite from the troubles that had pervaded our political atmosphere, brought about by the practitioners of democracy.

Much also has been talked about the state of the country that was about to go over the precipice because of the way our politicians chose to do politics and because of the way the parties at the helm of affairs chose to run the country. It has had the most harmful effect on our body politic, and the effect may be longer lasting than we anticipate. This has made us appear foolish in the eyes of our foreign friends and prompted some of them to treat us rather like a vassal than a sovereign country.

One would be hard put to determine which of the three is most harmful to the nation. There is a link amongst the three elements. Unfortunately, they thrive with one another's help, again at great cost to the nation. Hopefully, we have got the measure of the religious extremists. And given the commitment of the current caretaker government, their local and foreign links will be exposed soon.

Political cleansing, however, is quite different proposition, but people's wishes and hopes to see politics cleansed of the bad and the corrupt have been manifested in the government's action of netting the political bigwigs to start with. The public has welcomed the drive in general. But that should not be the end in itself. One can hardly take issue with the secretary general of the BNP that random arrests must be avoided and that no innocent person should be taken into custody without specific charges.

But it would be relevant to remind him to keep this in mind if and when his party comes to wield power in future and also to cast his mind back to the last five years when, through mass arrests, thousands of innocents used to be picked up before an opposition political program. Please remember their plight, Mr Secretary General. However, two wrongs do not make a right and we entreat the caretaker government, who has neither any political ambition nor any political axe to grind, to reestablish the rule of law that had gone missing over the last several years. There is nothing wrong with the "law" of the land but what is missing from Bangladesh is "order" in many spheres of our life.

In this regard, there are two sides of the issue about which the people are equally sensitive. They would like to see the culprits given exemplary punishment. They would want to see the caretaker government initiate long term measures to permanently break any possibility of the unholy nexus between the politicians, the unscrupulous businessmen, and the dishonest

bureaucrats in the future. That the poison teeth that have almost destroyed our society must be broken -- there are no two opinions about it. But it will be fair to suggest that the people are in general also sensitive about arbitrary curbing of the rights of individuals. In this regard there is the need to follow the legal process and the rule of law.

While real culprits must be held to account and pay for their misdeeds they must be afforded the chance to defend themselves through a transparent process. And in this regard the remarks of the advisor for law are very reassuring.

Sending the arrested persons to detention has to be seen in the right perspective. While the innocent should not suffer, the people would not like to see the real corrupts and the bad ones become heroes because of some legal loopholes or weak handling of the cases that results in their going scot-free.

Insofar as the business syndicate is concerned, they must be also pursued with equal vigour. The fact that not only had these unscrupulous traders resorted to hoarding to manipulate the prices of essentials, they were selling rotten foodstuff that had become toxic in nature because of the way they were stored. What is absolutely inexcusable is making spurious baby milk and selling time expired baby food. There can be no more unethical, corrupt, and depraved people than those that play with the lives of our

infants, our future generation, and these people must not be shown any mercy at all. The best investment that a society can make is to put milk into babies, as Churchill had once said. Not only have we not been able to put milk into our babies, with the price of milk jumping up every day, thanks again to the syndicates, we have failed as a society to even ensure that whatever little they get is pure and healthy.

The syndicates and the hoarders and the unscrupulous businessmen have not evolved all of a sudden. They have been plying their unholy trade with the help of some dishonest and corrupt members of the administration and law enforcement agencies, very evident in certain recent incidents. Thus it is just not enough to arrest the unscrupulous traders only. Those that have helped them to ply their immoral trade, and as abettors are equally guilty of the crime, must also be brought to book.

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The author is Editor, Defense & Strategic Affairs, The Daily Star.

Of deviant cops and defiant judges



MUHAMMAD NURUL HUDA

STRAIGHT LINE

The question is: who will account for the squandering of the public money, and why the liabilities shall not be fixed as per law. Forced abdications will not suffice to meet the ends of justice, and the reconstitution of the Election Commission must not mean precluding enquiry into the malfeasance and misfeasance of the previous incumbents. Our revenue receipts are hard to come by, and its deliberate wastage by highly placed persons must be made a culpable offence.

ous implication for their overall image for two important reasons: One, being in uniform the corrupt policeman immediately catches public attention, and two, since the complainant the police deal with is often a person with a grievance, any corrupt demand imposed on him pains him beyond measure.

At present, when there is an admirable effort to cleanse our public life, particularly the service providing institutions, it may be worthwhile to remember that political interference has wreaked substantial havoc in our police force. The interference has been possible largely due to the fact that police officers themselves, including some of those at the helm of affairs, have evinced an undiluted proclivity to please the political bosses for their personal and professional aggrandizement.

These officers have set a bad example for the entire force and that is where the police-politician nexus, much to the detriment of the norms of law and justice, comes into operation.

Although corruption is a malaise that has come to afflict the society as a whole, corruption in police has an extremely deleteri-

ity during crowd control in the recent past and yesterdays, when policemen have often indulged in several excesses such as non-conformity to the principles of minimum force, use of force against innocent persons, false implication and arrest of persons not involved, and ill-treatment of the injured. There have been cases in which the protectors of law have themselves turned into its prime violators. Instances of policemen associating themselves in crimes like rape, robbery, extortion are on the increase. False encounters, custodial violence, and the unbridled trampling of human rights which many of the so-called "successful" officers rejoice in resorting to, at times end up in criminal proceedings against them.

A reasoned view is that political interference in police could be minimized by bringing about the necessary changes in political ethics. A code of conduct for legislators should be meticulously drafted, keeping in view the gigantic scope and extent of political interference in police working. In

this connection, it would not be out of place to suggest the creation of a "privilege committee," comprising retired judges, police officers and civil servants, with adequate statutory powers to insulate honest and upright officials from the antics of high-handed politicians in their day-to-day functioning.

Corruption in police needs to be dealt with an iron hand. There

should be a concentrated drive to make it difficult for a dishonest person to remain in service. To begin with, recruitment standards must improve by strictly curbing corrupt practices at the time of recruitment. A radical revision is needed to change training programs from isolated, closed rigidities with uniformed "boot camp" indoctrination of automatons, to integrated interdisciplinary programs for the preparation of sensitive criminal-justice professionals who are creative, innovative and effective change agents.

A circumspect apprehension is that as long as the policing function, comprising detection of

officers, it would not be out of place to suggest the creation of a "privilege committee," comprising retired judges, police officers and civil servants, with adequate statutory powers to insulate honest and upright officials from the antics of high-handed politicians in their day-to-day functioning.

In the above scenario, where the police have been unsuccessfully struggling to transform themselves and the political class of the country is apathetic towards the need to revamp the police, the concern of the judiciary to keep the police on the democratic track is gratifying. However, the unusual utterances and actions of some of our learned judges, in their quasi-judicial functions at the Election Commission, have frustrated concerned citizens.

In the recent past the nation

had to bear with a comically stubborn chief election commissioner who, before finally leaving office by agreeing to resign, reportedly, on the not-so-warm persuasion of the honourable president, caused large scale protests and demonstrations resulting in loss of life and property. It was indeed a tragic scenario wherein the referee was strongly disowned by a significant portion of the players, but the former was perilously holding on to his position in an unbecoming manner.

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