

Withdrawing 'political' cases

It looks more like "Rule of Convenience" rather than rule of law

A process has been underway since Feb of what the government terms as review of 'politically motivated' cases which has given rise to questions regarding the manner in which the whole exercise has been undertaken.

A high powered 10-member committee at the apex, with a four-member central subcommittee, both dominated by Home and Law ministers and their officials together with six-member district committees headed by district magistrates form the structure for the review operations from the recommendatory phase to the withdrawal stage. The focus has been exclusively on the cases filed during the 4-Party Alliance and the CTG government. The fact that all of the 174 cases the committee has recommended so far for withdrawal relate to AL leaders, reinforces the impression about the process itself being politically motivated and tainted.

We are aware of the interminable practice of governments filing false or politically motivated cases against their opponents. But that doesn't mean that a successor government taking advantage of it will dismiss cases in a blanket fashion; for, if they did so, the real criminals badly needing to be brought to justice will slip through the cracks. Looking at the Mahajote government's review initiative we can hardly be convinced that such concerns have been adequately addressed.

As it is, withdrawal of cases by an executive fiat is inconsistent with the judicial process and impinges upon the very rule of law that the government says it is trying to uphold. It means bypassing the judiciary not to speak of blurring the role of the two organs of the state. Can the executive really arrogate to itself the task of the judiciary without giving the impression that the exercise is merely to circumvent the legal process? It amounts to turning the rule of law on its head and helps only in sapping public confidence in both the executive and judiciary.

It is best to let the process of law run its course and these cases be settled in the court, since that would discount any possibility of these cases being revived at a later date or by the next government which we have seen being done in the past.

Living up to the true norms of rule of law rather bending it expediently is the true measure of respect for law.

SoS for Gulshan Lake

Encroachers must face the full force of law

GRABBERS are implementing their sinister design of turning the Gulshan Lake into commercial plots and making money on the sly. This has been going on despite the High Court directive prohibiting filling of the lake on any ground whatsoever. There appears to be nobody to effectively challenge the misdeeds with court orders or any administrative directive.

The influential grabbers are thriving on impunity. Obviously, gobbling lake land would not have been possible without the Rajuk officials abetting it. Many people do think some form of collusive arrangement must have preceded the grabbing move. When the custodians of the lake look away it is the proverbial gate-keeper turning a poacher.

The grabbing of lakes and water bodies is becoming an environmental concern of great magnitude. The Gulshan Lake serves as a flood retention reservoir, besides having a cooling effect on the entire locality. Environmentalists are pretty much convinced that we are inviting a disaster by filling up the lakes and water bodies. However, their concern has failed to sensitize the myopic and unscrupulous elements ready to do any damage to the environment while attaining their goals.

The attempt by the government to earmark the lake as an ecologically critical area back in 2001 has clearly failed to make any impact. It is now quite evident that expression of concern and mere articulation of what has to be done to save the lakes and water bodies are not enough as the encroachers have made inroads deep into the heart of the administration and are capable of influencing the decision making and law enforcement processes.

The Gulshan residents have been trying to stop the menace but they have failed to achieve anything tangible so far. Similarly, the seminars and meetings arranged to highlight the moribund state of the lake have not had the desired effect on the recalcitrant elements.

So, the only option left to the government is to make sure that its own functionaries do not twist or violate the law and that encroachment on the lake comes to a speedy end. The commitment to saving the lakes and water bodies has to be translated into a firm, sustained and decisive action against the encroachers and grabbers, regardless of whatever influence, clout and guile they might still try to pull.

What are we babbling about, brothers?

In seminars, we talk about all sorts of "Human Rights" but not about the right of the flood stricken citizens of this country. We never say in loud voice that they have the right not to be inundated by flood waters every year. Why should they live amidst water for days and months when there are ways to handle floods?

SHAHNOOR WAHID

FROM parliament to poultry farms, from TV shows to TB hospitals, we are doing a lot of talking. We are God's chosen gabbers. That is why talking is our greatest pastime. All day long we talk about who is talking about who and what.

We quote politicians, we quote economists, we quote businessmen, we quote bureaucrats, we quote retired generals and we even quote mastans in this nonstop and untiring show of babbling. (Suggestion to NBR: Introduce "Tax on the Tongue." We shall cease to talk. TV talk shows will be replaced by something informative and entertaining. I can bet.)

So, we talk about everyone and everything, but we hardly talk about people or things that actually need to be talked about. For example, about people who do not have the opportunity to earn money -- black or white; about people who need to be arrested for grabbing riverbanks; about schools that need qualified teachers; about

campuses that need to be purged of criminalised teachers and students; about corrupt health practitioners, or for that matter, about those millions who, right at this moment, are living in waist-deep water in some parts of the country. Flood waters will soon reach up to their neck, but we shall remain engrossed in our analysis of why Jamiruddin Sircar and Delwar Hossain did not appear before the parliamentary committee to explain why they "took" money and "furniture" from the Sangshad.

Today, let us discuss floods. Flooding of vast areas every year is a common phenomenon in this country. In this era of satellite technology, we even come to know about the possibilities of early floods but do not care to take any preemptive measures to help those millions out there.

We do not take measures to create "genuine" embankments or dams early on so that the extra water could be channeled to the nearby rivers. Every year we wait for the floodwaters to come and inundate poor people's homesteads and then we go with

relief materials. We ensure that TV cameras reach before us, so that we can pose for the photo-shoot. The media has strong appetite for such photos.

In seminars, we talk about all sorts of "Human Rights" but not about the right of the flood stricken citizens of this country. We never say in loud voice that they have the right not to be inundated by flood waters every year. Why should they live amidst water for days and months when there are ways to handle floods?

We throw tantrums when our cars get stranded in clogged rainwater in the city for a couple of hours. And yet we fail to perceive the suffering of the people in the rural areas during the floods! We think of introducing underground railway spending billions of dollars, but cannot fix some vulnerable spots through which flood waters enter our land. Very funny, indeed.

Come to think of it. Why has flood control never been given the topmost priority by any government in Bangladesh? Look at what the Dutch did decades ago to protect their people from recurring floods! Look at the Netherlands today and look at our country! In the rural areas people survive with animal instinct in floodwaters. They have no other way but to hang on like cliffhangers. If they had a choice they would not have wanted to be inundated by floods every year.

They do not "enjoy" wading through chest-deep water to collect relief materials given by the shahibs or those Paleolithic political jokers. Actually the very act of

throwing biscuits or orsaline packets from the safety of a boat at those desperate people wading in filthy water is but crude, obscene and immoral. We, the so-called shahibs, should hide our faces in shame. Therefore, from here on, please do not say "our people's resilience" anymore to mean "our collective failure."

You know something? We love to become mukhora in exploring India's "dubious design" with Tipaimukh, but never talk about the dubiously designed culverts, bridges, embankments and dams "built" by the previous "political" governments of this country, which got washed away in no time. The result is today's flooding and inundation. Where are those netas who built those dams and culverts that got washed away so soon?

Do they read newspapers and watch the TV and see how their "voters" are suffering like animals? Will they wade through chest-deep water to share their plight? No way. You will find them in the private clubs sipping whiskey in the evenings. Many of them even shamelessly come to the talk shows and give us sermons on various subjects! They are still talking about how the government is out to take political revenge on Jamiruddin Sircar and Delwar Hossain! Audaciously wasteful, aren't they? Well, you and I cannot stop their tongues. They are blessed with the "gift of the gab," as the saying goes.

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Code of conduct for MPs

A code of conduct for the MPs is deemed necessary as many of them lack the political savvy needed for the post. In the absence of a parliamentary ethics committee to monitor the conduct of the MPs many of them behave irresponsibly, not only tarnishing their own image but also putting their colleagues to shame.

A.N.M. NURUL HAQUE

THE statistics recently revealed by the Transparency International Bangladesh (TIB) on functioning of ninth parliament are quite frustrating. It is an unfortunate reality that MPs do not attend the session in time and, as a result, around Tk5.42 crore from the national exchequer was wasted during the first session of the ninth parliament due to quorum crisis.

According to TIB's Parliament Watch 2009 report, an amount of Tk35,000 per minute is spent for running a parliament session, and the quorum crisis -- lasting for a total of 25 hours and 48 minutes -- caused misuse of Tk5,41,80,000.

TIB, which keeps tabs on the working of parliaments in emerging democracies, has come up with a set of recommendations, including the ones for formulating a code of conduct for MPs and measures to strengthen the committee system to make parliament effective. It also shed light on some issues deemed important for developing parliamentary culture, including a

few drawbacks of the inaugural session like the MPs tendency to praise their party's top leader, lack of tolerance for political opponents, discussion on irrelevant issues, absence of oppositions and limited flow of information on parliamentary proceedings.

The main opposition, BNP, and its key ally Jamaat-e-Islami have been boycotting parliament without any convincing reason. Ignoring their electoral pledges, both BNP and Jamaat MPs remained absent from the current budget session, thereby missing the opportunity of reviewing the government's fiscal policy.

In the inaugural session of the ninth parliament, the opposition MPs joined on only 21 working days out of 39, while the opposition leader Khaleda Zia attended only three sittings. Even the ruling Awami League (AL), which promised to take all-out measures to make the parliament effective, is yet to come out with an appropriate step to ensure the opposition's return to parliament.

It was a good signal for parliamentary democracy when the prime minister and

the leader of the house, Sheikh Hasina, on more than one occasion since her party's resounding victory in December 29 polls, said that her government would not only listen to the views of the opposition but would also work with them to lead the country to prosperity. She also pledged to offer the post of deputy speaker to the opposition to make the parliament effective.

TIB is also pressing for amendment of the constitution to reduce the maximum duration of absence from the house from 90 consecutive days to 30 days for cancellation of membership in parliament in order to bring an end to the pervasive culture of boycotting parliament sessions. There are also reasons to support TIB's suggestion that remuneration should not be given to those MPs who remain absent from an entire session.

Setting up of an Institute of Parliamentary Studies, for which a law was enacted in 2001, is a paramount need for providing training to the MPs to make them more capable, responsible and accountable in performing their parliamentary duties. MPs, particularly the fresh ones, must receive proper training to be aware of their responsibilities to their constituents and for quality deliberation in parliament.

A code of conduct for the MPs is deemed necessary as many of them lack the political savvy needed for the post. In the absence of a parliamentary ethics committee to monitor the conduct of the MPs many of them behave irresponsibly, not

only tarnishing their own image but also putting their colleagues to shame.

The quality of democracy prevailing in a country is ultimately judged on the performance of its parliament, and sophisticated parliamentary practice requires showing accommodative attitude and respect for the opponents' views. The ruling party members, therefore, should bear in mind that it is their political responsibility to allow the opposition to voice their views and also to be accommodating to their views, as the opposition is a crucial component of the parliament.

The history of our national parliament has sadly been a story of dashed hopes and aspirations during all the years since democracy was restored in 1991. But this time people were quite enthusiastic because of the attitude shown earlier by leaders of both the treasury bench and the opposition regarding their parliamentary performance. Now the responsibility lies squarely with both the leaders to make the parliament effective.

Parliament, the heart of democracy, must function properly for making laws reflecting the changed situation and times to materialise the democratic dreams of the people. The nation's aspiration for the efficacy of parliament will remain a mirage unless both the ruling and the opposition leaders have national interest above their political agenda, and ignore their narrow partisan and personal interests.

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Non-aligned conference and Bangladesh

Globalisation has distorted the pattern of trade for developing countries. Access to markets of goods from NAM countries to rich industrialised countries would be more beneficial than aid. Bangladesh, as the leader of LDCs may demand greater free access of their goods to the global market.

HARUN UR RASHID

THE Non-Aligned Conference will be held in the resort city of Sharm el-Sheikh in Egypt on July 15-16. It is reported that Bangladesh Prime Minister Sheikh Hasina will leave for the summit on July 4.

The Non-aligned Movement (NAM) consists of 118 developing countries (two-thirds of humankind). It will be a good gathering of heads of states/government. The Bangladesh prime minister is reportedly expected to meet as many as 12 leaders on sidelines, including Indian Prime Minister Dr. Manmohan Singh.

NAM was founded in 1961 in Belgrade. Only 25 countries attended the Belgrade meet. The seed of NAM was, however, sown at the 1955 Bandung (Indonesia) Conference of Asian-African leaders.

The principal purpose of NAM was to distance itself from the influence of the two superpowers during the Cold War. Non-alignment is not neutrality. The policy of neutrality has the connotation of being "isolationist," while the underlying principle of non-alignment is active involvement in regional and global issues without being

influenced by pressure from any superpower.

Bangladesh joined the NAM in 1973 and Bangabandhu Sheikh Mujibur Rahman participated in the NAM summit at Algiers in the same year. The decision was motivated by his desire to widen and broaden Bangladesh's relationship with other developing countries. His attendance was a big exposure for Bangladesh, and many non-aligned leaders were impressed by his personality.

One of the important features of NAM is the flexibility of policy of member-countries as there is no compulsion of bloc votes. Bangladesh is able to decide an issue on its merits from its national perspective and vote for or against it.

Although the leaders of the NAM played a key role in the process of de-colonisation of former colonies, they neglected the most fundamental economic and social issue, i.e. reduction of poverty in the member-countries. The leaders frittered away their energy on political and ideological issues, rather than on "bread and butter" questions.

The gap between rich and poor countries is larger at the beginning of the 21st

century than it was at the beginning of the 20th century. It is estimated that 800 million people go hungry in NAM countries.

The member-countries have failed to make greater use of their own resources, national and collective, to be self-reliant. They also did not take united action as a group in securing global reforms through negotiations with industrialised countries.

Corruption and nepotism plagued almost all NAM countries. Greater dependence on imports of luxuries of life had been allowed for the comfort of the rich, neglecting the needs of the vast majority of the poor.

Some of the leaders had no accountability, and considered their countries as private property and acquired weapons to crush public dissent to continue their power.

NAM should redefine the organisation because the world is no longer defined by the two warring Cold War blocs. Many suggest the NAM has to revise its policies and priorities if it wants to play a key role in the 21st century. They have to focus on economic management and social harmony for the benefit of their people so that they get access to education, higher quality of life and political freedom.

In the 21st century, combating terrorism, pandemic diseases and adverse effects of global climate change, as well as security for fresh water security, energy and food, among others, have to be accorded top priority.

Globalisation has distorted the pattern of trade for developing countries. Access to markets of goods from NAM countries to

rich industrialised countries would be more beneficial than aid. Bangladesh, as the leader of LDCs may demand greater free access of their goods to the global market.

Furthermore, mobility of labour from developing countries has been restricted or prohibited, while capital is allowed to move freely in and from NAM countries. The NAM countries must seriously devise ways and means so that global communication, migration, investment and trade can bring benefits to them.

Another challenge is resolving conflicts or inter-state disputes among them. Yet, one rarely hears leaders of warring countries expressing their firm determination to resolve the disputes or sources of conflicts.

A mandatory dispute-resolution mechanism may be considered within NAM to mediate or arbitrate or judicially settle the inter-states conflicts.

Another fact that has dogged the NAM countries is the division among them, some of them are pro-West, and some of them are anti-West. Many observers say the conference is a gathering of disharmonious voices. The split weakens the NAM as it is unable to speak in unison on core issues.

Finally, NAM has to re-invent itself and direct its energies to remove poverty among their nationals. The days of political rhetoric are gone; socio-economic development with equitable distribution of national wealth among people should be the main focus of NAM.

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