

Implement HC directives without delay

Gulshan-Banani lake is a test case for the authorities

OVER the past many years, the Gulshan-Banani lake has been subjected to assaults from various vested interests, the upshot of which is that today the lake is but a shadow of its former self. One could argue that the image we have at this point of the Gulshan-Banani lake is similar to what we have lately had about other places --- lakes, rivers, et cetera --- all across the country but especially in the capital. The seriousness of such predatory human action has now led to a situation where the judiciary has had to intervene in the matter of retrieving lakes like the one we speak of.

In the matter of the Gulshan-Banani lake, the High Court has given the government three months from December 9 to implement its directives. We are concerned here over not implementing these as yet on two points. In the first place, we do not quite understand why a copy of the HC judgment, delivered in May, has not yet reached the authorities. In the second, one fails to understand why the government must wait for such a copy when the verdict has already been announced. On its own and in the public interest, the government should have moved straight into the business of acting against those who have been encroaching on the lake for a very long period now. The matter is of particular importance since the High Court has declared the lake to be an environmentally critical area. And the minister of state for environment and forests has informed us that the government is bound to comply with the High Court verdict. Of course it is. But when can we see a translation of that verdict into reality? This question becomes extremely crucial considering that there are canals and other water bodies which have of late fallen prey again to encroachers owing to the inability or reluctance or both of the authorities to assert themselves in the matter of reclaiming public property.

The High Court has directed the government to form a committee comprising representatives from different departments and public interest organizations to monitor compliance with its judgement. We expect the government to move speedily into the business of forming the committee and seeing it get down to business. Let the Gulshan-Banani lake be a test case for the authorities. If this lake can be saved, all the other endangered canals, lakes, et cetera, can be seized back from those who have commandeered them over the years.

RAB under fire

Time for government to act

THE Rapid Action Battalion has come under the scrutiny of the international organisations - and perhaps for good reasons. The government's prime law and order agency had been under the media focus for a long time and we, in particular, have been stressing upon the need for the government to prevail upon the unit to stop circumventing the legal process in dealing with criminals. The unit has been accused of a large number of extrajudicial deaths, and itself admits to 600 such deaths between 2004, when it was established, and now. And all these are explained away as "crossfire" or "encounter" deaths.

Regrettably crossfire, or encounter deaths, has become an accepted norm of operation of RAB, which, we assume, has the blessings of the government too. Had that not been so, such an abhorrent practice would have stopped long ago when the media started spotlighting the extrajudicial killings. One minister has gone so far as to suggest that such method of operation, that involves encounter killings, may have to continue to maintain law and order. This only helps to enhance public apprehension.

Of late the unit has come under international scrutiny through exposure by a website of the fact that, while the US had refused to impart training to the unit, for its poor HR record, it was nonetheless trained by the UK; for this the UK government faces legal challenges. A damning indictment has been made, both of the battalion and the government of Bangladesh, by the international human right organisations who have termed the unit as "government death squad."

The accusation against RAB that it is violating the law in the name of maintaining law and order has been established once again through the findings of two enquiry committees set up by the government to look into the circumstances of three specific cases of extra judicial killings by RAB. The committees, set up at the recommendation of the Bangladesh Human Rights Commission, have held RAB responsible for the deaths and have stood by the claims of the victims' families as well as the media reports.

RAB has termed these allegations as baseless and has expressed their reservations since it was not represented in the committees. Such a position is untenable, not least because the committees were set up by the Home Ministry of which it is a part.

It is time for the government to react decisively. We cannot have a situation where methods used to combat criminals and criminality replicate exactly the behaviour of the criminals. That bodes very badly for a society that claims to be civilized. If the government is really serious about human rights and the rule of law it must stop the extrajudicial killings must stop forthwith.

Culture of shooting the messenger

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SYED FATTAHUL ALIM

SOME ministers of the government and officials in the police department have become so upset with the Transparency International, Bangladesh (TIB)'s report that their criticism of the anti-corruption watchdog now borders on the delirious. What's the matter? Well, the Bangladesh chapter of the global anti-corruption monitoring body has published its survey report which says that the judiciary and the police are the most corrupt services of the government.

The way the government leaders and official in question are behaving in reaction to the TIB report reminds one of the proverbial hare's fear that the falling fruit is a portent of the falling sky. Questioning the credibility of the report, the metropolitan police chief, for instance, has not only trashed the report for its alleged subjectivity, he even imputed some motives to the anti-corruption watchdog behind their preparing the report itself.

While defending the judiciary, Law Minister Shafique Ahmed was rather guarded in the choice of his words as he disapproved of the TIB report and called into question the very methodology of the survey.

The State Minister for Law Quamrul Islam declared that the TIB report's aim was to hinder the trial of the 1971 war criminals. Indeed, it is at once an example of powerful imagination and an act of discovery. Oddly though, the anti-corruption body has said nothing new in its report compared to what it did in its survey reports of the previous years.

It may be recalled that the self-same TIB in its reports did place Bangladesh at the apex of the global corruption list for five years in a row between 2001 and 2005. But we cannot recollect if these political leaders had raised any question against these reports at that time. On the contrary, far from protesting, they rather responded positively to it. And the reason for that is also not too hard to understand. In fact, at that time it was their arch rival in politics that was in power.

Small wonder, the ruling party of that time was likewise annoyed with the report. Though the-then opposition is now at the helm, the survey report from the same anti-corruption body tastes so bitter to them.

But the bitterness of the language with which they received the report surpasses all records. They are now crying blue murder over the corruption watchdog's findings.

The present mode of denial hardly serves well for the incumbent government.



For what the TIB has found out is nothing but the degree of corruption in the public sector as perceived by the sample population under survey. This is a fact that the very title of the survey, 'Corruption Perception Index (CPI)', indicates.

And it has always been the various public sector bodies that had mostly to share the liability for corruption. And every year the survey rated one or the other government department as topping the corruption chart. The difference, if any, in this year's TIB report is that this time the judiciary and the police have been found to be the worst hit by the vice of corruption.

Why are these government leaders getting so piqued at any criticism about the performance of the government? The state minister for law, for instance, has even advised the TIB "not to speak in favour of those who, in his words, are hatching conspiracies to foil the trial of war criminals." How can a survey finding by TI, that comes out every year for every country of the world, hinder the process of trying the '71's war criminals in Bangladesh or that even the preparers of the report are defaulting on their task to the extent that they are speaking in favour of those plotting to foil that trial?

And it is not only in the case of the TIB's

USA between the late 1940s and 1950s, when an anti-Red (anti-communist) hysteria was sweeping the corridors of power there. Anyone could then be branded as a communist, a communist sympathiser or even a Soviet spy. Obviously, an advanced democratic nation like the USA could hardly stand this kind of obsession with absurdity for long. Soon it was able to rid itself of this baseless fear psychosis gripping their society.

It is not being meant to say here that the government should always accept and cannot have a different opinion of the views, findings, or analyses given by a third party. In this particular case, it may, of

course, hold a different opinion on the report published by the TIB. But it must not be in a knee-jerk fashion and in a denial mode. On the contrary, it is the voice of criticism, and not of sycophancy or servility, that is in the ultimate analysis also the friendliest one that any government meaning business should take heed of. For contrary to the flattering song of the wily colleagues that is apt to lead one up the garden path, it is rather the shrill cry of the adversary or the critic that shows the way out of the quicksand of any political misstep.

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Congress in combat mode?

The Congress leadership managed to infuse a sense of purpose into the party in the just-concluded All-India Congress Committee session in Delhi -- which is no mean achievement for a lumbering 125-year-old organisation. The Congress's mood has become particularly combative vis-à-vis the Bharatiya Janata Party and the Rashtriya Swayamsevak Sangh, and even on the vulnerable issue of corruption.

PRAFUL BIDWAI

THE Congress finds itself in a real tight spot for the first time since its return to power in 2009 as part of the United Progressive Alliance. The entire opposition united against it in demanding a Joint Parliamentary Committee (JPC) to investigate the 2G telecom scandal, and put it on the defensive.

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The AICC resolution calls secularism the "lifeline of Indian democracy" and says "the RSS and VHP are insidious in their effort to break India." It terms the Gujarat 2002 anti-Muslim violence "genocide." In the last AICC resolution (2006), it didn't even mention Gujarat and merely said "communal forces represented by the RSS/BJP combine still lurk in our society."

The party strongly supported Rahul Gandhi for his remark, quoted in a WikiLeaks cable, that violent Hindu communalists are a greater threat to India than rising sympathy among Indian Muslims for Lashkar-e-Toiba.

No significant Muslim group in India justifies jihadi terror or LeT. But RSS-BJP support for Hindutva terrorism is substantial and vocal -- despite clinching evidence of RSS involvement in the Hindutva terrorist network in Maharashtra, Madhya Pradesh, Gujarat and Rajasthan.

The BJP accuses the Congress of vendetta politics. But its shielding of Hindu extremists is obnoxious, particularly after the recent arrest of several sangh parivar terror suspects and damaging evidence against RSS national executive

member Indresh Kumar. It's clear that Hindutva activists conspired to set off bomb blasts in a Malegaon mosque, the Mecca Masjid in Hyderabad and the Ajmer dargah.

The more polarising figures in the BJP,



like Gujarat CM Narendra Modi, have tried to create a social climate in which many Indian Muslims feel insecure, while Hindutva extremists believe they have the right to be protected by the state.

Congress general secretary Digvijaya Singh deserves part of the credit for persistently raising the Hindutva extremism issue. He frankly emphasised the RSS's pernicious role at the AICC.

Congress president Sonia Gandhi followed with a sharp attack on the BJP and its associates, whom she accused of double standards: demanding a JPC on the 2G scam, but protecting Karnataka CM B.S. Yeddyurappa despite evidence of massive corruption.

The Congress is now zeroing in on the

BJP as its main adversary. This welcome step will help isolate "soft-Hindutva" supporters inside the Congress and encourage the secular opposition to distance itself from the BJP. The Left parties are increasingly uncomfortable with being bracketed with the BJP in causing the washout of the entire winter session of Parliament.

That raises the corruption issue. Dr Manmohan Singh offered to appear before the Public Accounts Committee. But the BJP will probably continue its shrill campaign against him whatever happens. It's playing for broke in its present no-holds-barred confrontation with the Congress.

BJP General Secretary Arun Jaitley has dismissed Singh's offer and said he cannot choose his forum of interrogation. But

and "full transparency" in public procurement.

But these worthy ideas imply a systemic, long-term reform of the money-addicted, patronage-driven Congress party machine. Few Congress CMs would welcome such radical change. The experience with the National Rural Employment Guarantee Act has shown loopholes in the entire administrative system. These must be plugged.

In the short run, the Congress's commitment to fighting corruption will be tested on the Adarsh society, Commonwealth Games and 2G scams, especially the last. It must insist on a free and fair CBI investigation of Mr. Raja's operations -- even if that means getting DMK supremo M. Karunanidhi to drop him and his own daughter Kanimozhi from the party, on pain of severing the UPA's links with it.

The CBI raids on 34 establishments connected with Mr. Raja and Ms. Kanimozhi cut close to the DMK's family bone. It must take the investigation to its conclusion under Supreme Court supervision.

All this still leaves two questions unanswered -- the Congress's economic policy, and organisational issues. The Congress talks of inclusive growth. But, it still remains obsessed with the "paramount" importance of growth and hesitant to embrace equitable growth focussed on the poor.

The party continues to promote and reward sycophancy and looks to the High Command for all major appointments and ticket distribution in the states. There are no free elections in the Pradesh Committees or at the Centre. The AICC hasn't constituted a new Congress Working Committee after the 2009 elections. Ms.

Gandhi has only set up an ad hoc "core group" -- nominated from the top -- to strategise and take all major political decisions.

Mr. Rahul Gandhi tried to reform the Youth Congress, but the children of old Congress leaders continue to occupy most leadership positions. Much energy needs to be invested in revamping the party. Its flabby, top-heavy undemocratic organisational set-up could prove the Congress's Achilles' heel in next year's Assembly elections in West Bengal, Tamil Nadu, Kerala and Assam.

The Congress has begun digging itself out of the hole it's in. It hasn't emerged from it yet.

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