

Crime in Politics of Contemporary Bangladesh

Sayed Raas Maswod

Advocate

Supreme Court of Bangladesh

LL.B (Honours), LL. M

Masters in Criminology, University of Dhaka

Abstract: Politics and crime are two different concepts of different discipline. Politics deals with the acquisition of State power and Crime deals with the acts or omission those are prohibited by the law of a State with some sorts of punishment. It appears in different countries that the meaning of these two terms are changing and to some extent merging to each other. The politicians in the course of their political activities commit enormous number of crime of ordinary nature and number of legally undefined crime having long-term impact on the society at large. The paper tries to find out the crimes specifically for which the politician are exclusively responsible including the pattern of crime committed both by ruling and opposition. Different ordinary crimes, political violence, extra judicial killings, crossfire, gunfight, enforced disappearance is analyzed considering the context with empirical evidence. The relationship between increasing corruption and increasing participation of businessman found correlated. Complete criminalization of politics, politicization of State organs administration and judiciary which constitute the subculture of the politicians of Bangladesh. In sum this paper tries to see crime in existing politics in a grand scale by lance of a criminologist in order to reveal the crime in politics of contemporary Bangladesh

Keywords: Businessmen-Politician Oligarchy, Ordinary Crimes, Political Crimes, Political Policing, Politicization of State Organs, Subculture of Politicians, Victimization of Ordinary Citizen, Criminalization of Politics

1. Introduction: National Politics is supposed to ensure the rights and dignity of every citizen living within the given territory but the scenario is quite different in the emerging democracy like Bangladesh as politicians of Bangladesh are overlooking their oath bound duties and committing crimes of ordinary nature in the course of politics. The activities of politicians of Bangladesh are different meaning than that of what they are supposed to do by politics. Politics is a very essential part of every one's life because politics effect the life of every citizen of given territory directly or indirectly. Crime in politics in the form of political crime is widely accepted phenomenon. Though political crimes includes crimes against State coupled with a strong ideological motivational factor. It is already justified to be said that the political crime exist but the relationship between politics with the crimes of ordinary nature yet to be revealed. Members of different political parties struggling for acquiring political power or retaining the political power are usually involved in committing crimes for their personal/political/other gain which by nature fallen solely within the boundary ordinary crimes. The politicians of Bangladesh commit crimes of ordinary nature for their personal/political/other gain and give the existing "politics" a similar meaning to crime.

Crime Committed by the Politicians in a developing country like Bangladesh in struggle for

State Power is not political crime rather ordinary crimes. The political system of Bangladesh is oligarchic in nature. The politicians by maintaining oligarchic political system has turned politics as a business venture and has also criminalized the politics. The State organs are also politicized by the politicians. The causal factor of political violence is conducted solely for the personal or group interest of 2 (two) alliance of political party lead by BNP and AL in the existing oligarchic system. Crossfire, gun fight, torture, extra judicial killings, enforced disappearance is very common practice in every regime which made political policing an important feature of Bangladesh because of the use of law enforcing agencies for political purpose. The repeated incidents of huge grabbing of public money by corruption, extortion and consequent money laundering to other country by the politicians constitutes serious organized crime in the disguise of politics. In addition, committing other ordinary crimes becomes a common feature of politicians of Bangladesh by abuse political identity and power. These acts and omissions created the subculture of politicians of Bangladesh. Consequently, gives politics itself similar meaning as crime.

Absence of any vibrant political context and maintaining oligarchic system resulted into this unruly situation in Bangladesh. The scenario is getting worst further due to the politicization judiciary and keeps it under control of executive,

which could have played a role to check and reform the existing system if it is independent and not politicized. We have examples from India and Pakistan that Judiciary played remarkable role in guiding the politics to reform as required.

2. Background of the Study: Crime and corruption is a very drastic problem for the developing and under developed countries resulted out of politics. Bangladesh was converted into a fertile land for corruption and crime since independence. Crimes are the common tactics in the existing process of contemporary politics. Two key aspects of this relation – the ability of politicians to influence legislature, law-enforcement and the judiciary are presented instead in the sections on legislative process, police, customs, and judicial corruption, and will be examined in this paper. The scope and the level of complexity of crime schemes targeting politicians, as well as the damage inflicted on the state or society, are usually far greater than when targeting other public institutions. Political corruption is the most effective and powerful tool that criminals could use, as it also enables them to influence the bureaucracy, law-enforcement, and the judiciary.

3. Literature Review: The literature of politics and crime is a vast and major area in the present arena. But it is a great misery for Bangladesh the number of works about such topic is not adequate enough to review them. Although, there are few studies were conducted on politics and crime in Bangladesh but those studies did not address some important issues perhaps due to the sensitiveness of the issue for which we ought to depend largely on foreign studies.

All the earlier studies in combine has focused on primarily on the political crimes, the structural and functional defects of Bangladesh, dimension and trend of political representation in Bangladesh, political violence and its impact on the society and relationship between politics and crime. But Bangladesh being an emerging so-called democracy has different dimension in its politics. The political power is under exclusive control of 2 (two) major political parties, more specifically of the control two family, despite highest level of oppression to the ordinary citizen over the years. Repeated occurrence of crimes of similar nature by the politicians putting the society in danger is a very common phenomenon Bangladesh. These crimes are of very ordinary by types and very different than that of a political crime. The role of law enforcing agencies in the political activities is also very surprising as sometimes it appears to be political institution acting for ensuring the aims and object of the ruling party. Nature and pattern of criminal behavior of politician representatives and increasing rate of corruption is also alarming issues in the politics of Bangladesh reminding the criminalization of politics. These issues of criminality in politics of Bangladesh remain

untouched within the criminological, sociological and political research.

4. Analytical Framework: This study is primarily based on Marxist concept of crime and criminality. Crime and politics of contemporary Bangladesh was viewed from Marxist perspective.

5. Statement of the problem: “Politics” for us means striving to share power or striving to influence the distribution of power, either among states or among groups within a state. Politics is always explained in terms of power, control and influence. At present time, Bangladesh is facing different crisis in their internal politics which creates a big casualty in the state system.

The criminologists and other social scientists are reluctant to examine the crime in politics. This neglect of political crimes by criminologists and other social scientists is all the more surprising because the available data are quite extensive and there are no peculiar difficulties in attempting to analyze them.¹ There was no prior criminological research on different dimensions of the crime in politics and nexus of politics with crime in Bangladesh. Politicians of Bangladesh are frequently engaged in committing corruption, drug dealing, election engineering, sexual harassment and other forms of heinous crimes. Businessman’s interest in political representation has increased higher since inception so-called democracy. The politicians are also turning into businessman surprisingly. The political representatives are participating in the election with criminal charges. The state machineries are being used for the political purpose. Each of these incidents is crimes by critical criminologist as well by the mainstream criminologists. But the responsible politicians remain untouched. Although the number of news paper editorial writings indicate the relationship between politics and crime. It is an open secret that politician of every country is engaged in crime in different forms and nature. Committing political crime is an established and common phenomenon. Politician is directly engaged in committing political crime. From the perspective that politics is the struggle for power as stated by Max Weber justifies the causation of political crime. Marxist theory also justifies the causation of political crime. Some sociological theory may bring into the sight to justify the causation of crimes against society committed by the politician. Theories Sometimes, they are engaged in political crime. But here we have to look carefully into the incidents occurring on regular basis in Bangladesh by the politician and have to analyze as well as conceptualize the types, nature and trend of these crimes in order to put them a proper academic framework. Hence, I took

¹ Stephen Schafer , The Concept of the Political Criminal, Journal of Criminal Law and Criminology, Volume 62, Issue 3, (1972) Northwestern University School of Law, United States of America, P.380

the initiative to study the relationship existing “politics” of Bangladesh and crime in contemporary Bangladesh.

6. Objectives of the study: The objectives of the study include-

- i. To study the nature political system of Bangladesh.
- ii. To study the present pattern, trend and nature of crime in the politics of Bangladesh.
- iii. To study the impact of political activities in boosting the crime in Bangladesh.
- iv. To study the different dimension of political violence and crimes committed by the State.
- v. To study changing meaning of “Politics” and “Crime”.

7. Rationale of the study: Politics is a very essential part of every one’s life and politics affect the life of everyone directly or indirectly. Unfortunately, politics in Bangladesh turns out a curse for the ordinary citizen of Bangladesh. The politicians converted the meaning of the term politics similar as crime. Considering the importance of politics in making every reformation and development in the country, I am inclined to give emphasize on study of crime in politics of contemporary Bangladesh. My study will reveal types of crimes are committed by the politicians in Bangladesh and type of their involvement in those crimes. My study will reveal the relationship between politics with crime. The study will reveal the effect of growing participation businessman in the politics and how the criminalization and politicization of State organs resulted into the victimization of ordinary citizens. I will try to reveal whether political activities really increase the crime in Bangladesh and whether the increased corruption results from the political power. I will also suggest the means and ways to reduce crimes from the politics of contemporary Bangladesh.

8. Hypothesis: Based on the notion that politics is the struggle for power it usually attached with some sorts criminality. Both ruling and opposition party commits crime in order to retain or gain power respectively. Politics has already been disrepute as involves with criminal activities. Politicians are involved directly or indirectly involved with the crime in Bangladesh. Crime committed by politicians in Bangladesh in the course of politics is not political crimes rather ordinary crimes. Organizational Structure of Bangladesh itself paves the way for committing crime and political activities create the platform for committing such crime. By lapse of time, political activities turn out to be crime in contemporary Bangladesh and politician created political field as a profitable business venture.

9. Methodology: Content analysis is a research tool used to determine the presence of certain words or concepts within texts or sets of texts. Researchers quantify and analyze the presence, meanings and relationships of such words and concepts, then make inferences about the messages within the texts, the writer(s), the audience, and even the culture and time of which these are a part. Texts can be defined broadly as books, book chapters, essays, interviews, discussions, newspaper headlines and articles, historical documents, speeches, conversations, advertising, theater, informal conversation, or really any occurrence of communicative language. A quantitative content analysis was performed to generate findings on the overarching topics that are addressed and predominant frames that are used in different secondary data source on crime in politics of contemporary Bangladesh.

The methodological approach of this study includes a broad collection of secondary (literature) followed by a rigorous quantitative (statistical) (software aided) analyses. Survey data of secondary sources the different indicators (from surveys data) were assembled and analyzed. The data for this paper has been taken from a larger quantitative investigation and to some extent qualitative investigation. This thesis paper draws on a content analysis of crimes reported in the National Daily news paper as has been committed by politicians of BNP and AL during the study regime. For the purpose taking report about crime committed 2 (two) National Daily News Paper of Bangladesh i.e. (i) The Daily Ittefaq and (ii) The Daily Star are chosen randomly. Two news papers are chosen in order to cross check the collected data and in order to avoid the biasness data collection. The primary goal of this study is to identify whether the politicians of Bangladesh commit crimes and if any, what the types, nature, similarity dissimilarity and trends in the crimes committed by the politicians both by ruling and opposition. In context I have collected the crimes reported in the chosen 2 (two) News Papers with specific identification regarding the offenders and commission of the said crime. I did not take consideration of fact of filing any cases relating to the said offences because it is quite difficult to find those data due to non-availability and less-relevance. The different types of crimes committed by the politicians of Bangladesh render us to take the inference of the notion of criminalization of politics. The crimes committed by politicians of Bangladesh are not always political crimes and these are theoretically better suited within the definition of ordinary crimes because of the motivational factors attached to it.

The identity of particular offender responsible for the crime indicated in this study may be challenged. But the existence of every incidents counted in our data sheet are genuine and these are undoubtedly resulted out of politics or connected

with politics and could easily be defined as crime in accordance with different Penal Laws of the country. Political violence, corruption, cross fire, gunfight and extrajudicial killings has already been studied by empirical studies in Bangladesh. But the trend and underlying object of using this mechanism is yet to be revealed. The nature and types of different crimes and the nature, types and trend of crimes committed by the ruling and opposition committed by politicians has not yet been explored by empirical evidence.

In order to identify the trend of participation in political representation I have analyzed secondary data from prior research conducted by the Transparency International Bangladesh, BRAC Institute of Governance and Development, BRAC University, Bangladesh, International Crisis Group and other research paper of independent researchers to investigate the underlying factors behind the trend in political representation. I also try to find out the trend and pattern of crimes committed by ruling and opposition party. I also tried to focus and reveal on the criminalization politics in Bangladesh by a qualitative investigation identifying widely circulated in different newspaper and other secondary resources. Finally, I have tried to find out the relationship between politics and crime in grand scale of crime.

The raw Secondary data collected from the 2 (two) chosen daily News Paper was coded and taken for study. Data collected from the secondary sources are imputed and analyzed by MS Word and MS Excel. Later these are presented by tables, charts, graphs, diagrams, figures and photographs etc. with the help of MS Word and MS Excel. The literature search used electronic databases as well the printed text. Abstract and/or title searches were used, with search terms relevant to the key areas of interest. Articles identified were reviewed independently by the researcher and assessed for relevance to the search terms; based primarily on the review of the article abstract, and widened to the article content when needed. In terms of exclusion criteria, articles reviewed as unrelated to the research question, articles not in English, and secondary references, were removed. The approach taken includes a review of key academic journals and relevant academic literature, as well as a review of grey academic literature, such as national organized crime reports, or policy analyses published by non-governmental organizations.

I held a brainstorming meeting with a number of experts at the beginning of the study. I presented the preliminary findings to a group of informed academics and practitioners, and the revised final findings in a public dialogue attended by academics, civil society and media representatives, lawyers and economists. This present report is informed by the discussions of these meetings. I recognize the methodological constraint that the objectivity and impartiality of secondary sources

may be questionable, and that media reports, and even academic works may have limited coverage and bias. Overall, however, with the triangulation of methods – perusal of secondary material, statistics and survey material, I am reasonably confident that my findings are valid, despite constraints of time and resources.

10. Limitation of the study: The limited period of time to finish the study is the primary limitation of this study. The secondary data on politics and crime issue in very inadequate in Bangladesh. Due to the security concern resulted out of non-vibrant political system and oligarchy system the researchers are less willing to conduct criminological research on this issue. Therefore, I had to face tough time to find out authentic secondary data relating to the instant study.

11. Research questions: The research question shall cover the followings:

Does the politician of Bangladesh commit crimes?

- a) What types of crime are committed by politician in Bangladesh?
- b) What are the objects behind committing those crimes?
- c) Does these two terms are interrelated?
- d) Does politics itself a crime in present circumstance?
- e) How the present political system is criminalized?

12. Types and Nature of Crimes Committed by the Politicians: The political system of Bangladesh although argued to be democratic but in reality is Oligarchic in nature. In the forty four years since independence, Bangladesh has rotated between so-called electoral democracy and direct or indirect military rule. There were several shifts between parliamentary and presidential system of government. It appears from that apart from the military rule during second, third and fourth parliament, the State power was captured in between two political parties. Second parliament although was backed by military intervention deserve consideration due to the formation of BNP. By the first and second parliament AL headed by Sheikh Mujibur Rahman and BNP headed by Ziaur Rahman exercised the State power respectively. In fifth and sixth parliament BNP took State Power and Khaleda Zia being widow succeeded the Chair of her deceased husband Ziaur Rahman. In the seventh parliament AL got the State power again under the leadership of Sheikh Hasina, who actually succeeded the chair of her deceased father Sheikh Mujibur Rahman. In the eighth parliament BNP led again with its Four Party Alliance Headed by Khaleda Zia and in ninth parliament AL led Grand Alliance headed by Sheikh Hasina took the State power again. The next generation of Sheikh Hasina and Khaleda Zia i.e. Sajeb Wazed Joy and

Tarique Rahman respectively are seems to be in the scene for being the head of AL and BNP. Three factors appear to be common in the change in power capture by political parties i.e. (i) Powers are captured between two political parties, (ii) The chairs of two political parties are succeeded by the heirs of earlier chairpersons and (iii) The Alliance was ultimately formed based on the two political parties. Strong presence of these three factors somehow fulfills the criteria required to be termed a political system as oligarchic instead of democratic. The political system of Bangladesh having these criteria as its integral criteria deserved to be called and treated oligarchic political system instead of democratic political system. The ordinary peoples seem out of concern during policy making. The two political parties ultimately get each other to realize their interest to be on power. Monopoly of a political party during their rule is further ensured by the provisions Article 70 of Constitution of Peoples Republic of Bangladesh. Oligarchies have often been tyrannical, relying on public obedience or oppression to exist just as it our Bangladesh. Gilens says that average citizens only get what they want if economic elites or interest groups also want it; that is, economic elites and interest groups are influential.² The political family oligarchy is subsequently merged with businessmen-politician oligarchy. This leads one to conclude that the nature of social formation in contemporary Bangladesh is hybrid. It exhibits the amalgamation of post-colonial and neoliberal faces. This has created a highly unequal society, in which wealth is concentrated into the hands of less than three percent people.³ It shows that the present pattern of state formation is the product of colonial rule as well as the penetration of neoliberal economic policies. The “businessmen-politician oligarchy” creates a “political mode of production” which determines the state-class relationship, dominates capitalist relations and reshapes social structure through its own image.⁴

Political crimes committed by the politician have a justified framework among criminologists. They commit such crimes either to gain power called oppositional crime or to retain power called State crime. But our study reflects that politicians are involved in different types of crime which are ordinary in nature and they are not political crimes at all.

BNP and AL both either being ruling or opposition or *vice-versa* was found to be involved in the

² Prokop, A. (18 April 2014) “The new study about oligarchy that’s blowing up the Internet, explained” Vox

³ Lipon Kumar Mondal, Social Formation In Bangladesh: An Essay On The Political Economy Of State, Class And Capitalism, Journal of the Asiatic Society of Bangladesh (Hum.), Vol. 59(2), 2014, pp. 343-365, P.365

⁴ Lipon Kumar Mondal, Social Formation In Bangladesh: An Essay On The Political Economy Of State, Class And Capitalism, Journal of the Asiatic Society of Bangladesh (Hum.), Vol. 59(2), 2014, pp. 343-365, P.343

incidents equivalent to crimes and all these incidents are violation of different laws no matter whether any case is lodged or not. The incidents themselves are sufficient to constitute crime in violations of different laws in the respective incident i.e. 302, 141, 142, 143, 144, 145, 149, 323, 326, 159, 352, 327, 352, 453 426, 449, 450, 451, 384, 385, 337, 386, 387, 395, 354, 506, 160, 121A, 420, 171A, 171B, 171C, 171D, 171E, 171F, 171G, 171H, 171I of the Penal Code, 1860, Section 15, 25D of the Special Powers Act, 1974, Section 5 of the Explosive Act, 1908, Section 4 of the Money Laundering Act, 2012, Section 9 & 10 of the Nari O Shishu Nirjaton Domon Ain, 2000, Section 19 of the Arms Act, 1878, Section 19 of the Narcotics Control Act, 1990. Politicians of BNP and AL themselves are victimized by different incidents like, Murder, Hurt/Grievous Hurt and these incidents were committed by unidentified offenders. One alarming incident i.e. Murder of Politician by Law Enforcing Agency was identified in these regime which strongly suggest the politicization of law enforcing agencies. The incidents and law violations are similar during both regimes. These incidents are categorized in the criminological text as violent crime, offences against property offences against society. Most of the incidents found during our study regime are violent by types. Considering the impact, effect and victimization these crimes in combine may be divided into following categories:

Category-1- Conflicting issues between/among parties, which includes incidents such as, Direct killing/Murder of politician by politician of other Political Party, Violence/Vandalism/Collusion/conflict in between two Political Parties with Murder, Violence/Vandalism/Collusion/Conflict in between two Political Parties with Grievous Hurt or Hurt, Vandalism/Creating Disorder, Attack by knife, Injured due to Conflict by Arms, Arrest for crime, Direct attack on politician of opposite party with grievous hurt, Destruction of party office of the Opposition, Ante-State Activities, Terrorist Activities, Violence/Vandalism/Collusion/conflict in between two Political Parties Hurt or grievous hurt, Grenade Attack, Direct Political Killing of politician of political other Party, War Crime Proceeding, Violence/Vandalism/Collusion/Conflict in between two Political Parties with Grievous Hurt or Hurt, Violence/Destroying Party Office of Other Political Party, Ante-State Activities, Vandalism/Creating Disorder.

Category-2- Conflicting issues within one political party, which would includes, Direct killing/Murder of politician of by other politician of its own Political Party, Violence/Vandalism/Collusion/Conflict in between two group of one Political Party with Grievous Hurt or Hurt, Attack/Firing upon politician of one

party by his own party member, Destroying the House of Politician by his own party mate.

Category-3- Crime directly affecting the general people resulted out of political power practice, which includes incidents, such as, Harassment to general Public by abusing Political Power, Attack on News Paper Office, Armed or without Political Procession with destruction of public or private property, Creating obstruction in public work, Caring Fire Arms, Arms Case, Firing over public property, Attack on College Student, Abuse of Power, Attack on public or terrorizing public by throwing Cocktail/Bomb, Attack on public or terrorizing public by throwing Petrol Bomb, Meeting for preparing to terrorize public with explosive, Attack on News Paper Office, Political Procession with destruction of public or private property, Direct Killing ordinary people By Politician, Attack/Firing upon ordinary citizen, Killing of rickshaw puller by Mp's son.

Category-4- Crime affecting the general people for monetary gain or other reason, which includes incidents, such as, Grabbing Land, Direct Killing of ordinary people By Politician, Attack/Firing upon ordinary citizen, Rape, Gunfire, Dacoity, Bombing, Destruction of house of ordinary citizen, Kidnap, Harassment to general Public by abusing Political Power, Grabbing Land, Conflict/Violence for tender, Sexual Harassment, Creating obstruction in public work, Threat & Firing to public for illegal gain, Fraud & Cheating, Snatching of Money or other property, Illegal Drug Trafficking/Dealing.

Category-5 Corruption/bribery/extortion/subscription/ fraud/cheating, which includes incidents, such as, Extortion/Subscription, bribery, Misappropriation of Public Money, Extortion/Subscription, Corruption regarding Purchase of vehicles, Stealing Public Tin, Illegal use of Public Tower, Obtaining illegal Asset, Corruption on allotment of plot, Corruption of Public Money.

Category-6- Crime by which politicians are victimized, which includes incidents, such as, Murder of Politician by unidentified person(s), Hurt/Grievous Hurt of politician by unidentified person(s), Kidnap of politician by unknown person, Destruction of party office by unknown person, Violence/Conflict with Police with Murder of politician, Murder of Politician by unidentified person(s), Murder of Politician by Law Enforcing Agency(s).

Primary identity of these crimes is ordinary crime by nature. Are these crimes political crime as a sub-division within the boundary of ordinary crime? If these are, how? If not, how these are different from political crime (includes both oppositional crime and state crime) in the given context? Oppositional crimes are justified by different scholars due to its motivational factors.

According to Ross (2003), "You can identify a political crime through triangulating among existing laws, the individual's (or group's) motivations, the kind of victim/target attacked, the result, and the context of the action" (p. 5). Barkan (2005) suggests that it is best to take an eclectic view of political crime that encompasses many definitions of the term without being overly broad. He proposes that political crime be defined as, "any illegally or socially harmful act aimed at preserving or changing the existing political or social order" (p. 405). Jacqueline B. Helfgott 2008 suggests that given the focus here on criminal behavior, and taking into account the (limited) consensus of researchers and writers on the subject, political crime is defined as ideologically motivated behavior that is legally defined as criminal. (p. 331). The political crime is supposed to be attached with ideologically motivated behavior of changing the existing order. What ideological motivation factor driven the politician of Bangladesh to commit the incidents we found during our Study Regime in the context of an oligarchic political system? What are their motivational factors behind committing the crimes during the study regime? It is very tough to find out the motivational factors without having background of every incident which is impractical indeed. However, considering the impact, effect, victimization and types of incidents apparent motivational factors could be easily be identified keeping the oligarchic political system into concern. In the context of an oligarchic political culture the appeared to be more personal or group interest of different nature than that of ideological in every identified incident. An oligarchic political culture and apparent motivation factor of the frequent identified incidents are couples with monetary gain or conflict of interest, political power practice and similar types of vested interest irrespective of crimes committed by ruling and opposition. There is no such ideologically motivated factor of changing the existing order. By the careful analysis of the identified incidents it is very easy to take the inference conflicting issues between/among parties are the result of political power practice for increasing, retaining or capturing the State power without having a single ideologically motivated factor of changing the existing order. Conflicting issues within one political party are the consequences of internal conflict of interest in gaining temporal interest out of the political power. Crimes committed by the politicians directly affecting the general people resulted out of political power practice is caused either for terrorizing the ordinary people and convey some message to the ruling party when committed by the opposition or for gaining temporal interest by abusing political power. Crimes committed by the politicians affecting the general people for monetary gain or other reason requires no further explanation because primary object behind committing these crimes are monetary or other temporal gain or sometimes

getting pleasure by abusing political power. Corruption/bribery/extortion/subscription/fraud/cheating are committed for monetary gain by abusing political power. Crimes by which politicians are victimized are resulted out of conflict of interest in the political field. Hence, the indentified incidents without having any ideological motivation are not political crimes rather than ordinary crime committed by the politicians of 2 (two) largest political parties of Bangladesh.

On the other hand, state crime in Bangladesh is not restricted only within the use of Section 144 of the Code of Criminal Procedure, 1898 i.e. imposing prohibition on political assembly and association. Extra judicial killing, cross fire, custodial torture and death, enforced disappearance is very common practice in every regime in the Bangladesh. Odhikar, a Non Governmental Organization has counted 1691 Crossfire/Gunfight from 2001-2015, 2545 Extra-judicial killings from 2001-2015, 543 Torture (Dead and Alive) from 2004- 2015. Although there is no exact statistics of enforced disappearance, despite that the enforced disappearance is a common practice in Bangladesh. Odhikar identified 148 enforced disappearances from January 2009 to 28 August 2014.⁵ These are gross violations of human rights and grave offence on the part of state through law enforcing agencies, which strongly suggests the existence of the politicization of law enforcing agencies in Bangladesh. By these gross violations of human rights law enforcing agencies are undoubtedly protecting the interest of the ruling party, which suggest that the law enforcing agencies are acting as a wing of the ruling party ignoring their oath bound responsibilities. When the law enforcing agencies are politicized and used for retention of power the essence of State crime as political crime lose its operation and the situation is better known as political policing. I am inclined to treat these as ordinary crime due to the existing oligarchic political system and absence of any ideological motivational factors behind the gross violation of human rights. Frequent and strong occurrence of extra judicial killing, cross fire, custodial torture and death, enforced disappearance indicates the very strong level of politicization of law enforcing agencies and political policing in Bangladesh. From the victims perspective these incidents have could bring worst impact on society because lawlessness is never bring wellbeing of a society.

13. Trend, Pattern and Nature of Crimes Committed by Ruling and Opposition: The trend and pattern of interparty conflict seems similar both in BNP and AL regime. Both parties are involved in interparty violence. The ruling party appears in taking lead in the interparty conflict, which strongly suggest that the ruling party is concerned with oppressing the opposition. Although,

intraparty conflict are common within both ruling and opposition, inspite of that intraparty conflict seems higher within the ruling party and less with the opposition. It suggest that the presence of scope to acquire more by using political power is limited within the ruling party and violence followed by the conflict of interest are the result of their intention to acquire more by abusing the political power. Crimes those directly affect the general people resulted out of political power practice are common in both ruling and opposition. Oppositions are found in the leading position in both study regimes. This suggest that the opposition having out of State power shows their power in the political filed in order to remind their presence and in return the ruling party replied their presence by further response. Ruling party is mostly involved in crimes relating to Monetary and other gain. Opposition seems not involved with this category of crimes. Corruption/bribery/extortion/subscription/fraud/cheating is also crimes which is solely committed by the ruling party. It clearly indicates the abuse of political party by ruling party for their personal interest and suggest that these are the means of their source of earning. It further suggest that the violent political violence for retaining political power or gaining power is to have this opportunity to avail a clean pathway to commit these crimes.

Effect of politicians by unidentified person also seems similar both in ruling and opposition. Conflict of interest in the exercise of power caused these incidents. The trend and pattern of crimes committed by the mainstream politicians seems similar to crimes usually committed by the politicians. The important thing to point out that the mainstream politicians are found responsible for committing all categories of crimes. Trend and patterns of crimes are similar with our findings. Both parties are involved in interparty violence. The ruling party appears in taking lead in the interparty conflict. Intraparty conflict seems higher within the ruling party and less with the opposition. Crimes those directly affect the general people resulted out of political power practice are common in both ruling and opposition. Ruling party is mostly involved in crimes relating to Monetary and other gain. Opposition seems not involved with this category of crimes. Corruption/bribery/extortion/subscription/fraud/cheating is also crimes which is solely committed by the ruling party. Effect of politicians by unidentified person also seems similar both in ruling and opposition. The surprising thing is that the student's politicians of both ruling and opposition are involved in all categories of crimes, which is very alarming for the entire nation. The students are mostly found involved in interparty and intraparty conflict. The object behind committing these crimes seems similar to the object of mainstream politicians. In addition, the students are connected with other grave offences during the

⁵ Odhikar's Statistics, " [Online: web] Accessed 05 Nov 2015: URL- <http://odhikar.org/statistics/>

course of their political career for monetary or other temporal gain.

14. Pattern of Political Representation and Crime: The presence of businessmen in politics is considered as alarming by political and social scientists because while politicians are expected to serve public interest diligently, it is well established that a political career can produce substantial private monetary gains for legislators. This inference regarding the nexus between business and politics is supported by the research conducted by BRAC Institute of Governance and Development (BIGD) 2013. From the data it appears that the participation of businessman in the parliamentary representations is increasing at a significant rate. The dominant political parties accommodate individuals with undesirable track records, such as corruption charges and other legal issues.⁶

The findings of BRAC Institute of Governance and Development (BIGD) 2013 deserved to be taken into consideration of my present discussion according to the said research pointed a notable number of Member of Parliaments having criminal charge. Political strong position of businessman during ruling regime avail him a fair chance in the existing circumstance of Bangladesh to take advantage for evading the illegalities committed by them in the course of business. Besides, they get another chance to put an embargo over the legal charge as well as anti corruption charge pending against them smoothly. Having a very fair opportunity to escape the legal charge as well as anti corruption charge pending against them the businessman engaged themselves in corruption and politicians turns into businessmen and engaged them in corruption. They take advantage of state power in doing business by abusing power.

It appears that the corruption in our country is increasing gradually. Politics is already been recognized as a profitable business venture by the researchers. It is also recognized that politicians are turning into businessman. Increasing rate of involvement of businessmen in politics and increasing rate of corruption coupled with the fact of criminal and anticorruption charge against the Member of Parliament suggests a strong relationship in between increasing rate of involvement of businessmen and increasing rate of corruption. Increasing corruption is the result of growing participation businessman in politics. This inference is further supported by the notable corruption case lodged against the BNP and AI leaders during the care taker government. The Railway Gate Scandal, the Padma Bridge” Scandal, are the biggest corruption during last AL regime. Although no case was lodged against the

⁶BRAC Institute of Governance and Development (BIGD), BRAC University, The State of Governance Bangladesh 2013: Democracy Party Politics (2013), P.77

responsible politicians for this biggest corruption, despite that the incidents are factual truth. The incidents were occurred even not having formal legal proceeding. In addition, cases of corruption in the financial sector like the illegal disbursement of a loan of Tk.3,547 crore to Hallmark Group and five other companies between 2010 and May this year by Sonali Bank, in which the alleged involvement of politicians of ruling party in the scam, brings into focus the connection of a high level government functionary in the scandal. Besides, the off-hand remark on this issue that “Tk.4,000 crore loan scandal out of the Tk.40,000 crore loans in the country’s banking sector is not a big deal”, showed the casual manner in which such an issue was being addressed. In addition, the share market scam in which about Tk.20,000 crore were swindled and the Destiny group scam allegedly having connection of politicians of ruling party.⁷ God know how many incidences are still hidden! In all case, the alleged politicians are either businessman or a politician turned into businessman. Therefore, one of the major reasons of increasing corruption is the growing participation of businessman in politics and transforming the politics into business venture. Corruption gives a politician or a businessman to earn huge black money sometimes beyond imagination and politicians or a businessman is so ruthless for their exclusive personal interest.

15. Pattern of Political Violence and Extra Judicial Killings: Political violence is a very common phenomenon in Bangladesh. There are enormous numbers of political violence year after year. It appears that the political violence in higher in 2001, 2005, 2006, 2009, 2012, 2013 and 2014 during the pre-election years and post-election years. BNP won on 2001 and violence is higher due to the change in power structure. In the 2005 higher violence is due to the demand of expected fair election. In 2009 AL won and violence is higher due to the change in power structure. In 2011 AL repealed the provisions of Care Taker Government and set the mechanism to held election under the politician of ruling party against which BNP strongly opposed and accordingly rate of violence is higher in the year 2012 to 2014 and it continued before and after the tenth election which was boycotted by BNP, consequently led the rate of political violence higher.

One common thing in the above findings is that although political violence, Crossfire, gun fight, torture, extra judicial killings are commonly occurring events in Bangladesh and these events seems higher during some specific time, more specifically during pre and post election period.

⁷ Vivekananda International Foundation “Politics of Corruption in Bangladesh” [Online: web] Accessed 05 Nov 2015: URL- <http://www.vifindia.org/article/2012/december/04/politics-of-corruption-in-bangladesh>

This suggests that in order to establish 'political dominance' within and outside the party domain the political leaders especially during the election year increase political violence. On the other hand, the law enforcing agencies suppress the opposition on behalf of ruling party by violating the human rights.

The law enforcing agencies act as a wing of the ruling party for suppressing the opposition and affirm a clear picture of politicization of law enforcing agencies and political policing in Bangladesh. All these incidents are odious crime committed by law enforcing agencies but these are neither accurately covered by law of Bangladesh as crime nor brought into the possible legal charge. The concern State officials responsible for these incidents remain untouched due to the political consideration even after committing atrocious crime. By this politicization, the law enforcing agencies are losing their professionalism and going far beyond from their standard role. This fact strongly suggests the absolute existence of political policing in Bangladesh. Because of dirty political concern, these grave violations of human rights were encouraged by the ruling party and accordingly these events are repeating again and again. Victimization by a State crime to its citizen is very pathetic as it does not open any forum for the indirect victims for bringing any action against law enforcing agencies.

Increasing political violence and increasing Crossfire, gun fight, torture, extra judicial killings during pre and post election period reflects a very strong relationship in between these two increasing factors. As the Political violence is getting higher during election period, the number of Crossfire, gun fight, torture, extra judicial killings is also increasing in those periods as well.

16. Criminalization of Politics and resulting victimization of ordinary Citizen: In the wake of numerous baffling problems that Bangladesh is facing today, criminalization of politics is one of the biggest. Politics is an essential part of every one's life directly or indirectly because politics affect the life of everyone. Any conscious person while electing any leader expects that he must serve people and put the problems of the public before the Government and then solve those problems. Unfortunately reality is different. Politics became a shelter place of the criminals now a day. They can take the tickets from political parties by their power and money and then elect by the people. Once elected those criminals became the MPs and ministers by spending lot of money with the chief aim is to earn as much money as possible and for this purpose their followers and juniors crush the people and earn money and the public have to pay the price of their election. Money power gets a bigger motivating factor than ideology. Vested interests have developed around these groups with active connivance of corrupt

politicians, police officers and civil servants. Some politicians even take their assistance during election times. They have to return their favors when they come to power. This mutually beneficial relationship has seriously damaged the quality of governance in the interior areas. The real losers are the people. The development process gets seriously hampered in a violent environment. When large development funds are siphoned out by this unholy alliance between the criminal and corrupt forces, even the delivery of the most basic services like water, power, healthcare, education and communications becomes a stupendous task.

Criminalization of politics has many forms, but perhaps the most alarming among them is the significant number of elected representatives with criminal charges pending against them. Supreme Court of India in *Ankul Chandra Pradhan v. Union of India* observed that "Criminalization of politics is the bane of society and negation of democracy. It is subversive of free and fair elections."⁸

In order to explain the current position of our country's political system and the attitude of our politicians we have look into the process by which the "politician" are "gaining power" and what are they doing after "acquiring power". Our politics has increasingly becoming a den of criminal elements.⁹ The law does not prohibit any person having criminal allegation to participate in election and accordingly the great numbers of politician having severe criminal charges participates in the election. Earlier these criminal elements used to influence the elections from outside but now they have become a part of the political system by contesting the elections themselves. Once an accused is elected during the trial, he uses his position and power to dilute the case or pressurizes the government to withdraw the prosecution against him or her.¹⁰

At the time of election political parties are used to manipulate the election process for acquiring political power. Election engineering or manipulating election process violating election laws seems very common practice in Bangladesh. The free, fair and credible election is almost rare occasion in Bangladesh. The ruling parties are taking advantage of political power and by abusing the same they are manipulating to lead in the

⁸ Dr. Jitender Loura, Election Reforms in India vis-a-vis Criminalization of Politics and Right to Reject-A Review, [Online: web] Accessed 06 Nov 2015: URL- http://www.academia.edu/6290443/Election_Reforms_in_India_vis-a-vis_Criminalization_of_Politics_and_Right_to_Reject-A_Review

⁹ The Daily Star (Mar 08 ,2015) Power politics and its consequences, <http://www.thedailystar.net/power-politics-and-its-consequences-28842>

¹⁰ [Dr. Jitender Loura, Election Reforms in India vis-a-vis Criminalization of Politics and Right to Reject-A Review, [Online: web] Accessed 06 Nov 2015: URL- http://www.academia.edu/6290443/Election_Reforms_in_India_vis-a-vis_Criminalization_of_Politics_and_Right_to_Reject-A_Review

election. Election engineering (although consists of different distinct crimes) itself is a very grave offence collectively committed by the responsible political party.

Let's focus on the political violence. It is another form of concurring ordinary crime committed by the politicians during the course of politics for gaining power or retaining power without any exception. Undoubtedly, politicians are being victimized by political violence but what about the ordinary citizen. How the political violence affect the ordinary people. Unfortunately, the majority of the victims of violence are the general public, who are not connected to politics.¹¹ "It is very serious thing to try to come to power by burning and killing innocent people. It is not democratic targeting education and the economy. We should learn from others how to do good for the people".¹² The political culture of Bangladesh goes beyond 'healthy competition' and is becoming more confrontational day-by-day. Parties prefer to solve their differences on the streets, rather than in a democratic way.¹³ The findings suggest an often stark divergence between democratic scruples and practices, which reflects weak commitment to a democratic culture in both parties.¹⁴ Eight month pregnant Najma Begum was shot on Thursday 23 July in Doarpar Karigarpara of Magura town, during a shootout between two factions of the ruling party student organization Chhatra League. The bullets also went through the baby which was in her womb. Najma's uncle-in-law Momen Bhuiyan was injured in the shooting and a bomb blast at the spot and died the next day.¹⁵ Even a child is not safe from the victimization of political violence!

Continuous *hartal* disrupts exports, imports, transportation, industrial production and supplies of essential commodities. Export oriented industries like garments are badly affected. They are counting huge losses without being able to maintain the schedules of deliveries, estimates of economic losses for one day's *hartal* vary widely. According to DCCI, the daily losses are Tk.1,600 crore while FBCCI estimates the losses at Tk.10,000 crore.

¹¹BRAC Institute of Governance and Development (BIGD), BRAC University, The State of Governance Bangladesh 2013: Democracy Party Politics (2013), P.49

¹² AsiaNews.it, (Mar 2, 2015) "Bangladesh, political violence threatens survival of population" [Online: web] Accessed 06 Nov 2015: URL- <http://www.asianews.it/news-en/Bangladesh-political-violence-threatens-survival-of-population-33359.html>

¹³BRAC Institute of Governance and Development (BIGD), BRAC University, The State of Governance Bangladesh 2013: Democracy Party Politics (2013), P.57

¹⁴BRAC Institute of Governance and Development (BIGD), BRAC University, The State of Governance Bangladesh 2013: Democracy Party Politics (2013), P.110

¹⁵ Progress Bangladesh, (Jul 31, 2015) "Shot in womb at Magura Chhatra League infighting; New born still in danger" [Online: web] Accessed 06 Nov 2015: URL- <http://progressbangladesh.com/shot-in-womb-at-magura-chhatra-league-infighting-new-born/>

Once acquiring power the politicians engaged in earning money whatever the means is. Corruption and extortion are alleged to be rampant everywhere across the country as reflected by TV talk shows, media interviews of the public etc.¹⁶ The local bazaars and hats are under the control of the political goons; land is being grabbed by party men; tender snatching and involvement in killings, looting and siege. During the care taker Government the picture of corruption committed by BNP appeared before the ordinary citizens with evidence. The widely known corruption during AL regime includes Padma bridge project, railway scandal, stock market, Hall-Mark, Destiny and so on. Political and government initiatives, direct or indirect, have continued to undermine the independence and effectiveness of the Anti-Corruption Commission (ACC). On the other hand, ACC is also not known to have demonstrated the professionalism, vibrancy and courage to act effectively enough within its legal mandate and institutional capacity to send a signal that corruption is indeed a punishable offence, especially in relation to high profile corruption allegations like Padma bridge project, railway scandal, stock market, Hall-Mark and Destiny. The same is true for the nationalized banking sector. The denial syndrome in a section of the political authority has prevented the prospect of accountability which has fed into a culture of impunity.¹⁷ Take the latest case as revealed by the World Bank Independent Commission's final report on Padma Bridge. It has categorically said there were no legal reasons to exclude the name of Syed Abul Hossain, the former communications minister, from the initial list of persons under investigation. Yet from the beginning, we saw a deliberate attempt to save Abul from any scrutiny. The so-called independent Anti-corruption Commission in its report audaciously maintained that inclusion of Abul's name would have caused political tumult! Abul remained untouched. In the cases of Suranjit, Moshur or Modasser, we also see similar attempts either to exonerate them or to divert investigations.¹⁸ These inactions and ineffective role AAC render us decide that it is also politicized as well.

Illegal drug trade is another shocking incident which is repeatedly committed by one of the Member of Parliaments for the last few years. "We

¹⁶ The Financial Express (Jun 18, 2013), Political Cost of Corruption, [Online: web] Accessed 05 Nov 2015: URL- <http://www.thefinancialexpress-bd.com/old/index.php?ref=MjBfMDZfMTThfMTNfMV85MI8xNzMzNzE=>

¹⁷The daily Star (March 08, 2015) "Bangladesh slides: Why? Bangladesh slides: Why?" [Online: web] Accessed 05 Nov 2015: URL- <http://www.thedailystar.net/bangladesh-slides-why-53225>

¹⁸ The Daily Star (June 21, 2013) "News Analysis: Is it a govt or an individual?" [Online: web] Accessed 05 Nov 2015: URL- <http://archive.thedailystar.net/beta2/news/is-it-a-govt-or-an-individual/>

are shocked that a syndicate of members of the police force was reportedly involved in smuggling Yaba on Cox's Bazar-Dhaka route. According to Rab, which arrested ASI Mahfuzur Rahman of the Special Branch, the syndicate had been using their professional identity as law enforcers to ensure safe passage and sale of drugs. With almost 50 lakh Yaba pills trafficked into the country and consumed every day, Yaba trade is now an organised industry with myriad networks that extend all throughout the country to ensure the free movement of illicit drugs from producers to consumers, involving a wide range of players, from crime syndicates to powerful politicians. According to reports published previously in this newspaper, the drug business in the city takes place under the watch of law enforcers, with peddlers allegedly paying hefty sums to the latter as bribes to conduct their business.¹⁹ A list, prepared by the Department of Narcotics Control (DNC), says Cox's Bazar-4 MP Abdur Rahman Badi is the person in control of the route, and many others work under him in the illegal drug trade. The list names 10 people including his brother, several in-laws, uncle and nephew.²⁰ Two things is common in the above stated quoted sentences illegal yaba drug trade and involvement of member of parliament with this business along with law enforcement agencies. The Member of Parliament is directly responsible in the control of the route, and many others work under him in the illegal drug trade, unfortunately still untouched.

In addition, the member of parliaments are recommending their party fellows indicating as a dedicated supporter for government job in their Demi Official (DO) letters to different ministries and many services were confirmed based on those Demi Official (DO) letters.²¹

It appears that the politicians transfer their black money earned by grabbing the public money through corruption in other countries for safety and security of black money.

The daily Star's report on "Black money flying abroad Govt's amnesty draws very little response"²² and the Progress Bangladesh's report under the

¹⁹ The Daily Star (June 23, 2015) "Editorial Law enforcers in Yaba trade: Flush out the abettors within" [Online: web] Accessed 05 Nov 2015: URL- <http://www.thedailystar.net/editorial/law-enforcers-yaba-trade-101266>

²⁰ Bdnews24.com (May 5, 2014) "MP Badi and family involved in yaba trade" [Online: web] Accessed 06 Nov 2015: URL- <http://bdnews24.com/bangladesh/2014/05/05/mp-badi-and-family-involved-in-yaba-trade>

²¹ Prothom Alo (Aug 08, 2015) "Ministers, MPs lobbying for public service recruitment" [Online: web] Accessed 05 Nov 2015: URL- <http://en.prothom-alo.com/bangladesh/news/74593/Ministers-MPs-lobbying-for-public-service>

²² The Daily Star (Mar 08, 2015) "Black money flying abroad Govt's amnesty draws very little response" [Online: web] Accessed 05 Nov 2015: URL- <http://www.thedailystar.net/black-money-flying-abroad-38711>

heading "287 Awami League leaders building second home abroad"²³ shows that the corrupt politicians laundered money in different countries during the period they were in their power and those money were black money earned by way of corruption or public money grabbed by extortion. But they are still safe and untouched by the law enforcing agencies and Anti Corruption Commission.

Practice of politicizing does not limited within the executive, judiciary and security agencies but it extend to the civil society. Civil society whose duty is to guide and act as a beau ideal for the politicians has become politicized as well. Political regime change was so frequent in Bangladesh that it hampered policy continuation, and Bangladesh suffered from military intervention in politics. In fact politicians failed to build the necessary confidence between government and citizens. The Bangladeshi political elites failed to create an effective local government so the relation between central and local governments was channeled through the bureaucracy. This failure to create political institutions had an alternative effect on social institutions. The political class needed to create a support base in the absence of political institutions in local areas, so alternatively they politicized social institutions. This led to politicized CSOs in Bangladesh (Quadir 2003: 425-438). Such politicized nature should be defined in accordance with party politics of Bangladesh.²⁴

Corruption in Bangladesh is widespread and permeates all levels of society; the rule of law is weak and the most institutions lack transparency and integrity structures.²⁵ Political corruption is widespread in Bangladesh: citizens perceive political parties (62%) and the Parliament (40%) as some of the most corrupt institutions of their country (Transparency International, 2011).²⁶ The politicization of the judiciary is coupled with a lack of resources, of appropriate working conditions and of training opportunities (Business Anti-corruption Portal, 2012).²⁷ Judiciary is traditionally seen as the guardian for upholding the rule of law, restricting executive arbitrariness and proving a non-partisan institutional capacity for practicing constitutional democracy. But in Bangladesh Judiciary has increasingly been subjected to steady exploitation

²³ PROGRESS BANGLADESH (March 25, 2015) "287 Awami League leaders building second home abroad" [Online: web] Accessed 05 Nov 2015: URL- <http://progressbangladesh.com/287-awami-league-leaders-building-second-home-abroad/>

²⁴ Civil Society of Bangladesh: Depoliticized in Working Agenda but Politicized in Power Relation, [Online: web] Accessed 10 Nov 2015: URL- <https://journal.hass.tsukuba.ac.jp/interfaculty/article/view/16/48>

²⁵ Overview of corruption and anti-corruption in Bangladesh, 4U Expert Answer, Transparency International P.1

²⁶ Overview of corruption and anti-corruption in Bangladesh, 4U Expert Answer, Transparency International P.3

²⁷ Overview of corruption and anti-corruption in Bangladesh, 4U Expert Answer, Transparency International P.7

by political forces under Successive government. The absence of true separation of judiciary and recent politicization is one the main reasons, which pave the way of criminalization politics in Bangladesh. Judiciary could evidently played role in guiding the politicians as the Judiciary of India and Pakistan did in their country. In Bangladesh, the police force is allegedly used by elected officials in a systematic manner to maintain their control of the political arena (Nawaz, 2012), through torture, physical abuse and arbitrary detention (Freedom House, 2011).²⁸ Awami League (AL) and Bangladesh Nationalist Party (BNP) have successfully politicized state institutions and organizations along party lines. These parties have secured a clientelistic control over various organizations, ranging from trade unions, businesses, to professional associations such as doctor's and lawyer's associations. The AL and the BNP had an alternating monopoly in Bangladeshi politics, which has determined the nature of party-state relations, as well as those between state and society. The ruling party, for instance, tends to have monopolistic partisan control over the civil bureaucracy, state-owned electronic media, law enforcement agencies, institutions of horizontal accountability (Public Service Commission, Anti-Corruption Commission), the lower judiciary and, more recently, also the higher judiciary (Hassan 2001; CGS and BRAC RED 2006; IGS 2008; ICG 2012). The ruling political party is also able to use the security forces as de facto private enforcers of violence. One of the critical strategies to ensure such partisan control is the politicization of police recruitment process. This strategy created a systemic network between the officials loyal to ruling party politicians.²⁹ Although not defined in any penal laws of Bangladesh but the politicization of State organs by the ruling party is grave crimes which bring huge long term social disorder and our country is one of the best examples in this context.

The process of criminalization is confirmed by the politicians in an organized way. The crimes involved in the process criminalization are organized crime. The unruly criminalization of politics and politicization of State organs resulted into lawlessness and consequently victimization of entire population of Bangladesh. Finance Minister recently said that Corruption eats up 2 to 3 percent of Bangladesh's GDP and another 1 percent of it is lost due to political instability.³⁰ The economic loss of this victimization should be the subject of study in future for identifying the suffering of ordinary

²⁸ Overview of corruption and anti-corruption in Bangladesh, 4U Expert Answer, Transparency International P.7

²⁹BRAC Institute of Governance and Development (BIGD), BRAC University, The State of Governance Bangladesh 2013: Democracy Party Politics (2013), P.8

³⁰ Bdnews.24 (2015-07-09) "2-3 percent of GDP lost to corruption: Muhith" [Online: web] Accessed 08 Nov 2015: URL-<http://bdnews24.com/economy/2015/07/09/2-3-percent-of-gdp-lost-to-corruption-muhith>

citizen. This statement suggest two thins i.e. acknowledgement of the existence of corruption and loss of GDP and thereby loss of public money. Accordingly, the victimization of ordinary people by untouched crimes with long term devastating impact is increasing as consequence. The politicians, although part of given culture, form a distinctive subculture because of characteristics of their particular vocation. They share the overall culture of the society but also have their distinctive values, norms and life style in present Bangladesh. This constitutes the subculture of politicians in Bangladesh. The subculture of politicians may be understood as shared meanings and behaviors, reinforced and maintained daily by peer influence, reinforcement, and experiences. The existing pattern crime in politics indicates the criteria of subculture of politicians in Bangladesh. The commonly occurring incidents (i.e. crime as the common feature) form the subculture of the politicians of Bangladesh. This subculture includes-

- Engaging in interparty and intraparty conflict.
- Engaging in committing crime directly affecting the general people resulted out of political power practice.
- Engaging in committing crime affecting the general people for monetary gain or other reason.
- Engaging in earning money through corruption/bribery/extortion/subscription/fraud/cheating.
- Victimizing the politicians secretly.
- Turing politics into a business venture.
- Politicizing the State Organs.
- Money Laundering.
- Criminalizing politics.

This subculture coupled with crime from top to bottom of Bangladesh politics render us the suggestion that existing "politics" of two alliance lead by BNP and AL " and "crime" has similar meaning and has no difference in terms of acts or omission involved in it. This existing subculture is the first and foremost barrier in the development of vibrant political system in Bangladesh. Depth of impact o the criminalization of politics on the economy of country and individual is a matter of further research. It leads individuals in life risk and creates high social disorder. The criminals in the politics sometime became the toy in the hands of the enemies of our countries and then create danger for the State Security and interest.

Notwithstanding, these efforts, the evil that has crept into politics merits for special attention. This prevailing trend is spreading like cancer. It is

nullifying all the constitutional safeguards of democracy that is it is spoiling bureaucracy by making its partial; it thwarts press; and even threatens judiciary; and thus, is destroying the very foundation of democracy. They want to fish in the troubled waters and when the water is placid, they trouble it to achieve their selfish ends.

17. Finding: The research findings can be sum up as follows:

- The political system of Bangladesh is oligarchic political system instead of democratic political system.
- The identified crimes committed repeatedly by politicians without having any ideological motivation are not political crimes rather ordinary crimes.
- Increasing rate of involvement of businessmen in politics and increasing rate of corruption coupled with the fact of criminal and anticorruption charge against the Member of Parliament suggests a strong relationship in between increasing rate of involvement of businessmen and increasing rate of corruption.
- The commonly occurring incidents (i.e. crime as the common feature) form the subculture of the politicians of Bangladesh.
- The unruly criminalization of politics and politicization of State organs resulted into lawlessness and consequently victimization of entire population of Bangladesh.
- Existing “politics” of two alliance lead by BNP and AL” and “crime” has similar meaning and has no difference in terms of acts or omission involved in it.
- Political violence, Crossfire, gun fight, torture, extra judicial killings are commonly occurring events in Bangladesh and these events seems higher during some specific time, more specifically during pre and post election period. In order to establish 'political dominance' within and outside the party domain the political leaders especially during the election year increase political violence.
- The law enforcing agencies suppress the opposition on behalf of ruling party by violating the human rights.
- There is strong presence of political policing in Bangladesh.
- Politics of contemporary Bangladesh is completely criminalized.
- State organs (executive and judiciary) are completely politicized.

- Corruption and Money laundering is a common feature of our politicians.
- Politicization of State organs by the ruling party is a grave undefined crime which brings huge long term social disorder.
- Existing subculture is the first and foremost barrier in the development of vibrant political system in Bangladesh.

18. Policy Recommendation: In the light of the above side-effects of the evil of criminalization of politics, there could be following possible and practical solution to reduce crime from politics under the existing political system–

- Media and activist should play role increase the political consciousness of ordinary citizen identifying the realities and bringing out the naked faces of criminals involved in political system.
- Legislative changes could be introduced putting complete restriction in the participation businessmen in direct political representation.
- Judiciary should play more vibrant role without any fear to check the abuse of political power. In this respect judiciary should be made independent as required to maintain the check and balance.
- A special law could be introduced ensuring effective and speedy special legal mechanism to deal with crimes committed by politicians.
- Civil societies, NGO, etc. conscious voters should play on active role. If voters stop voting for the criminals, the system will automatically change.
- Enact and adopt laws appointing ombudsman in the parliament with proper implementation mechanism.
- Establishing an oversight mechanism being comprised of members from Lawyers, Judges, University Teacher, Human Rights activist to check the crimes and illegalities committed by law enforcing agencies.
- A special law could be introduced ensuring effective and speedy special legal mechanism to deal with crimes committed by law enforcing agencies without availing them any right to defense of exceptional circumstance.
- Longer hierarchy in different departments of law enforcing agencies should be reduced immediately.
- Permanently prohibit the opportunity to arrest any person by the Detective Branch

of Police without the involvement of local police station or without a formal forwarding of letter of arrest duly signed and sealed addressing the local representative and the person in whose presence the arrest is made.

- Right to fire of the law enforcing agencies on the citizen in every case including during political procession should be prohibited and any fire without the permission of any Judicial Magistrate of First should be treated and charged as Murder.
- Ensure the proper implementation existing law deals with crimes.
- Strengthening the role of Anti-Corruption Commission.
- Establishing distinct cell for proper data collection and research in every single government offices in order to keep record of every single incidents in the field economics, law, judicial, political etc.
- Ensure Rule of law.
- Imposing legislative restriction over the political representation of businessman and releasing politics from the business venture. Political parties should allow any person having corruption charge either proven or yet to be proven.
- Imposing legislative requirement to publicly publish the wealth statement of Member of parliaments and other politicians of ruling party as well

opposition having leading position in party.

19. Conclusion: Existing patter of politics of contemporary Bangladesh has completely become a game of criminals. The by-product of politics is crime of ordinary nature in every case. Two major political parties BNP and AL maintained an oligarchy in the system and engaged themselves in struggle to gain or retain State power. In this transition they commit crimes affecting the ordinary people in many ways and after having power they start earning public money through different illegitimate way and also abuse the political power. The politicians are involved in almost every types crime and the ordinary peoples are subject of being affected and victimized by its consequences. Absolute politicization of government organs is turning the State itself as the agent of ruling party. This is how the politicians have criminalized the politics of contemporary Bangladesh. The politicians are Ordinary people may neglect or avoid politics treating it evil but it does not release them from the chain of politics. Because politics ultimately determine the policy and legal framework under which every citizen is bound to live their life. Therefore, ignoring and avoiding politics is not a proper solution. A vibrant political system is the first and foremost demand to bring the politics in order and reduce criminality from politics. Unfortunately, existing criminalization and politicization of State organs is the main causal factors of enormous number crime in politics and perhaps the main impediment to develop vibrant political system.

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