

# Ethics in banking

AKN AHMED

**O**NE hears increasing complaints of lapses of ethical conduct on the part of our bankers. There was a time when we joined banking profession more than half a century back, bankers were held in high respect. Their integrity, honesty were of the highest order. There was great mutual trust between the bankers and their customers. Bankers also used to provide very efficient and dedicated service to their customers. We were taught mottoes like "Customers can do no wrong" "Service is the business of banking". Customer satisfaction was rated very high and it used to be considered an important element in rating the performance of individual employees. But over the years, the bankers regrettably have fallen from that high position in the eyes of the public. Today, banks are branded as hotbed of corruption and bankers are accused of promoting corruption for their private gains.

It is therefore imperative that bankers in their larger interest should take steps to remove this blot from their profession by isolating rotten apples from good ones, by imbuing the staff to practice honesty in handling every banking transaction and arousing professional pride in them. Such steps, among others, will include transparency of all banking transactions which again will mean truthful recording of transactions, maintenance of proper internal audit, faithful implementation of customers' orders, working within rules, not to suppress facts not expecting any financial or other consideration for services

rendered, examining each proposal only on merit and to work without fear or favour and even to refuse to obey illegal order contrary to the interest of the bank. To this end some steps have been taken by bankers themselves in the recent past and there is now more awareness about the need of ethics in banking. Such initiatives should be taken by other banks as well. I am suggesting some concrete steps which all banks may consider taking individually and collectively to take forward this movement. They are:

-- At least two round table talks shall be organised in the current year with the help of the Editors of national dailies and Banker Magazine to discuss the problems of ethics in detail. One round can cover the items like what are the mechanism of corruption in banking sector at nuts and bolts level, are these going unnoticed, if so why, and if not are they ignored and why; what motivate the customers to resort to such means -- is it due to the fact that the credit is scarce relative to demand, is it due to bureaucratic entanglements or is it due to the demand for grease money from bank officers. Senior bank officials should be invited to prepare short paper on the various issues before discussion and such discussion when held should be given wide publicity through media. Another round table talks will cover whether corruption in banking sector is part of the wider corruption in the society and are they similar to such corruption in other countries, in magnitude, mechanisms and what practical steps are needed to contain these evils. Again, there should be wide publicity and the findings and rec-

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ommendation of such discussion should be printed in short booklet form and circulated to bank employees. Such action will put the corrupt officers and customers on guard.

-- Certain short slogans can be formulated. They can be printed on the envelopes of various banks and flashed on TV and radio on regular basis.

-- Special short articles on this subject should be prepared for publication in various English and Bengali newspapers. Each faculty member of BIBM should prepare at least one such payer every year. These articles should also be printed in short booklets and widely circulated to bank employees and bank customers.

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to resolve these conflicts discreetly without jeopardising the interest of the employee concerned. If such complaints are of serious nature and against senior officials they should be brought to the notice of the Managing Director if needed.

-- Each bank office should have a complaint box placed on a prominent place with the key kept with the head of the office who alone will open the box. He will try to resolve the complaints and forward the complaints in original with his comments to Ethics officer at Head office once in a month for perusal.

-- A post of Ombudsman should be created inside Bangladesh Bank. The incumbent should be a distinguished senior banker with high reputation in financial circle for honesty and integrity or a distinguished and experienced lawyer or Judge. Ombudsmen and his staff should be accountable to the Board of Directors of the Bank and be part of Governor's office. His function shall be to receive complaints from members of public against any bank including Bangladesh Bank. Once a complaint is received which he feels has substance he should arrange to have it investigated and then forward the findings of the Chief Executive Officer of the institution concerned with his recommendations. If

he finds that any crime like corruption, criminal neglect have been committed he should recommend appropriate actions under the prevailing law of the country. Similar actions should be taken against the regulators, bank inspectors and others if it has been established that any decision has been taken by them which is discriminatory in nature or has any political or any extraneous consideration behind it or it has been established that the customers of the banks or members of the public have incurred any financial loss either for their action or lack of timely action through negligence of duty on the part of bank officials or the officials of Bangladesh Bank. No investigation should be undertaken by Anti-corruption Department of the government or any complaint should be lodged by it in any court of law unless on representation by Ombudsman.

-- It should be made mandatory for bank to report to Bangladesh Bank all cases of fraud and forgeries including the names and position of offenders. A careful record of these reported cases should be maintained by the Bureau and followed up and completion of these cases if they are proved offender bank employees --- their names should

be put in black list. Before doing this the approval of Ombudsman shall be taken.

-- A voluntary code of conduct should be formulated without further delay. This task should be entrusted to a small committee consisting of the following:

1. One Deputy Governor, Bangladesh Bank... Chairman
2. Two Managing Directors of bank -- one from nationalised bank and one from private bank
3. DG, BIBM ... Member-Secretary

While preparing such code of conduct they may consult similar documents drawn up for doctors, lawyers chartered accountants by their professional associations. It is suggested such code of conduct should provide for a Discipline Board for disciplining the violators including expulsion from banking profession. It should be ensured that such codes do not become merely credos with high sounding rhetoric but becomes practical guide. Once this is done each bank should enforce it by amending its existing staff regulations, if necessary.

-- Each bank employee, on appointment, should be called upon to sign and agree to follow certain

code of conduct. This is enforced by each bank in USA and many others countries.

-- The decisions already taken to introduce one paper of "Ethics in Banking" in Masters course in BIBM and in Diploma examination of Bankers Institute should be implemented without delay.

-- The decision to give short talk on ethics to officers attending course in the academies of banks should be finalised. For this purpose DG BIBM will meet the principals of all academics to finalise the content of such talks.

-- All banks including Bangladesh Bank shall be called upon to make special contributions to Nurul Matin Memorial Fund to meet the expenses of the above programme and thereafter separate account shall be kept of the receipts and expenditure of the Fund and all expenses will be made out of the Fund and not charged to BIBM.

-- Finally, in managing ethics in banking institutions action on three fronts are needed: first get senior management to provide effective ethical leadership; second, set up an ethics program that promotes concern for the interest of the people affected by a bank's operation and that provides safeguards against corrupting business pressure; and third, imbue the people with ethical values and surround the organisation with ethical advisors including legal, financial, accounting and tax consultants. Furthermore it has to be clearly understood that such program is not an one shot affair. To quote an expert. "A company's ethical conduct is something like a big flywheel. It might have a lot

of momentum but it will eventually slow down and stop unless you add energy."

-- The continuing efforts of senior management of banks will therefore be needed to reinforce and nurture organisational commitment to ethical practices. This is unfortunately lacking now. But I am hopeful, many others like your Managing Director will come forward and take similar steps so that are long bankers again attain the commanding heights in our society. As I have said in a speech on corruption in October, 1998 "To the prophets of gloom and doom I say" when you see something wrong join with others who feel the same way. Work to solve the problem. Even small steps count. Do not forget if something has not been done before that only means you can do it. This can change when ordinary people come together in a common cause. Things get better when enough people decide that they should get better. It was said of Mrs Eleanor Roosevelt many years ago that she would light a candle than curse the darkness. One day, I hope, the same will be said about us by our children and grandchildren if we can join hands together and each one of us try to keep away at least one fellow-being of ours from entering into the blind alley of corruption and self-degradation."

AKN Ahmed is a former Governor of Bangladesh Bank. The article is based on his speech delivered to Senior Executives of Janata Bank on 24th February.

# Incidents of rape tear the soul of the nation

MD. ASADULLAH KHAN

**I**T sears the conscience. Beyond that there is a general sense of alarm across the nation aroused by a recent spurt in ghastly crimes as rape, abduction, kidnapping and murder. If we are horrified at the increasing incidence of macabre crime in the capital city or other big cities, the situation is no less frightening rather worse in small towns and villages where these are perpetrated by groups of deviant youths with the blessings of affluent and politically inspired godfathers. Last January the savage killing of Marjina Begum (17) in the Birganj Upazila of Dinajpur district after being gangraped by a group of hoodlums numbering about 12 sent a chill down the spine of the nation. The hoodlums who enjoyed the patronage of a local M.P. barged into the house of Hafizuddin, a small trader, and gangraped Delwara (38), his wife and daughter Marjina, while Hafizuddin was away from the house. With family values under stress and petty political feud backed by innately selfish interest taking a toll on human values, crime suddenly seems an alluring option for these youths mostly belonging to middle class families.

It is inconceivable in a society we call civilised and cultured that both mother and daughter are victims of rape at the same place and same time, one witnessing the gruesome act being perpetrated on the other with total helplessness. Such dastardly crime is an act of barbarism that makes a mockery of everything called democracy, human values, fundamental rights and legal protection. The brutality perpetrated on Delwara and her daughter Marjina who was later strangled to eliminate any clue to the crime reminded us what an ominous jungle Bangladesh is even with religious fervour bubbling at seams but human values fast evaporating.

Different human rights watchdogs revealed a staggering figure of rapes, killings custodial deaths and other crimes that took place last year at different places in the country. The litany is relentless and gets more frightening with each passing day: A police official committing the crime he is sworn to prevent or a school teacher stalking a minor girl student and committing rape in the school premises. Last month as newspaper report revealed the rape of a minor girl student of class III of Dhamrai Primary School by a teacher of the school left the citizenry dazed. That it should happen

in a school considered safe and sanctified and the accused is alleged to be a teacher added shame to the shock. Adding to the wave of terror unleashed on women in the country, not a day has passed since Yasmin rape and murder case in Dinajpur when rapes haven't made it to the headlines. The report goes like this: Dhamrai Primary School was functioning on the day of incidence without the headmaster who went to the Upazila office for bringing books. The lady teacher in-charge declared the school closed after 1 pm and she also left for home. The only male teacher staying back taking advantage of the absence of other teachers when almost all the students left called the victim in the office room and perpetrated the dastardly act. The girl went home sick and bleeding when the family members and neighbourhood came to know about it. Reports have it that a case was registered after conducting medical examination on the victim and protest marches held demanding "death for the rapist". As one can recount from past experiences, slipshod investigative procedures and lax prosecution efforts may sweep the case from public memory in just a few days.

The most sensational rape incident took place in Puthia Upazila of Rajshahi district when gangsters numbering about eight gangraped a teenage girl out of vengeance to her father who was supporting a different political party the cadres opposed. The macabre incident of gangrape was videotaped and put on public display. The victim out of desperation and shame committed suicide within a few days after the incident. It is a shocking indictment of the society's male population reflecting social degeneration.

The deluge of statistics are equally grim across the country: sexual crimes against women are on the rise. Bangladesh National Women Lawyers' Association (BNWLA) revealed that there were 65 rape, 38 murder, 28 dowry, 22 acid victims and 21 abductions in September last year. The Bureau of Human Rights Bangladesh (BHRB) revealed that some 720 women were raped, 113 of them children, and 131 were murdered after rape in just nine months. On the other hand, Odhakar human rights group reported on 1647 incidents of child repression, 1,066 rape and 462 dowry victims.

The figures expose the ugly underbelly in the so-called cultured and progressive society. Analysing

**It is true that in the court premises thronged by lawyers, policemen and crazy public, the mention of rape is often met with lecherous smile, suggestions of false allegations and hints about the victim's character. The victims often break down and trail ends in a fiasco. The complexity of the situation calls for incorporating DNA test in the evidence act.**

rape, social scientists say that rape is always more than just rape. It is a symbol that this society allows victims not survivors. Experts further add that the blame of the crime is pinned on the victim and the attitude of all members of the society to rape victims is rather very cold. Men are trying to control women by their sexual perversions that could serve as weapon to generate fear. Sadly true, men instead of confronting powerful cultural changes they witness in women, are propelled to shackle them all the time. It is funny that we punish them for taking their own decisions, for earning their own living and for choosing to move out of "control orbit" that men have drawn for them. Sadly true, even men and women who are far removed from the scene but remain silent on such issue also shoulder the blame. In Puthia the rapists videotaped the ghoulish incident and later put it on display in public places. Tragically, there were no protests, no condemnation from the public against this dastardly crime.

So says a social scientist, "The greatest matter of concern is the eroding role of citizens. Silence has to be recognised as an abetment to crime."

Popular opinion favours radical change, particularly after a string of high profile cases when money and influence came together to negate the rule of law such as Yasmin rape and murder case in Dinajpur in which justice was not available despite overwhelming circumstantial evidence. Added to this disillusionment is the fact that a high percentage of the accused are directly linked to privileged class.

What is more poignant is that women don't know whom to trust. Their chosen friends and confidants often betray them and turn into perpetrators. In our country, as anyone has seen time and again, a rape victim's real weakness is forced on her again and again. It begins with the humiliation at the hands of a rapist and then a tortuous and shameful journey that the neighbourhood, police and finally the law subject her to. Her contribution to the crime is repeatedly suggested. So says an administrator in the violence intervention centre for women in the country, "It does not end with the dastardly act. The victim is raped everytime she has to relieve it".

Unfortunately, one singular cause that cripples the process of rape victim's chances of surviving

## Recognising importance of translation

MOHAMMED AR

**P**EN Bangladesh held a Translation Workshop and Seminar at the Munier Chowdhury Conference Centre, University of Dhaka on February 1-2, 2003. While lot of translation is being done in Bangladesh--from Bangla to English and vice versa--there are no books or university courses on translation. In view of the importance of translation, PEN Bangladesh decided to hold a number of translation workshops and seminars. The February workshop and seminar was a follow-up of an earlier workshop held in November, 2002.

It may be recalled that in 1970, the American Centre of PEN

arranged a Conference on Literary Translation in New York, the papers of which were subsequently published in *The World of Translation*. There were several valuable papers on different aspects of translation and the various problems faced in translating from different languages. There was also a paper on Translating from Bengali by Amiya Chakravarty. The conference took a number of resolutions that stressed the right of the translator to be recognised as "the re-creator of a work." In the thirty years since that conference, much has changed. There are several universities in the US that offer courses in translation and translation studies. There are also a number of journals on translation.

However, problems remain, especially for many of us who attempt to translate from Bengali into English. Amiya Chakravarty's paper, on the difficulty of translating from Bengali in general and Tagore in particular, is very relevant for us. There are problems peculiar to Bengali, and one of the aims of the seminar-workshop was to attempt some guidelines for translators. Apart from not always knowing the language well, there are other problems faced by translators because of the different linguistic contexts and structures. The PEN Bangladesh workshop seminar was organised in order to discuss ways in which translations could be improved.

Participants at the two-day seminar, organized by Professor Niaz Zaman of the University of Dhaka and a member of PEN, included scholars, academics, writers and translators. There were four working sessions during which experienced translators and academics spoke of the theories and practice of translating.

At the inaugural session, Professor M. Harunur Rashid, former DG Bangla Academy, spoke of the contribution of the Bangla Academy in translation literature. PEN President, Ms Farida Hossain,

the trauma is the nonchalant attitude of the police. The protectors of law rape the law when they put a rape victim to shame by their machinations or more precisely character assassination of the victim at different stages of case framing. Not only they discourage victims from filing complaints, but often they destroy the vital clues that are essential for booking the culprit. There is a high percentage of the accused directly linked to the privileged classes, particularly politicians, police administration and bureaucrats.

In the present scenario, the law puts the burden of proving guilt on the prosecution which must prove it. Unfortunately, this well recognised principle aimed at preventing misuse of power by government officers leads to investigators being bribed, witnesses suborned and material facts altered.

Since the low credibility of lawyers and the police contributes to the problem, popular opinion favours radical changes in the criminal justice system. Sadly true, rape trials till now remain lopsided and fraught with loopholes providing escape routes for the accused. If we are not hiding facts, the fact remains that trials are heavily loaded in favour of the accused and humiliating for the victim. That calls for

and no clues other than a smidgen of DNA.

Take the case of a Oklahoma junior high school teacher Dennis Fritz. Fritz had never thought that he would be convicted of raping and murdering his neighbour, 21 year old Debora Sue Carter. He had no criminal records but the dubious testimony of a jailhouse snitch who claimed Fritz confessed while awaiting trial landed him in prison with life sentence. That was all it took to send a man away for life!

"When the Jury came back with a guilty verdict. I almost went into shock", says Fritz. His co-defendant Ron Williamson was on a death row but his conviction was reversed on a technicality. Before retrying him, prosecutors decided to do DNA test of semen and hair found at the crime scene and compare them with Williamson's. Fritz's lawyers asked them to test Fritz's too. The result was astounding. The DNA test excluded both men and implicated someone else who had never been charged with the crime. Last April,

after 12 years behind bars, Fritz and Williamson were freed.

In another case it is known that Vincent Jenkins who had served 17 years in prison for the rape of a woman in N.Y., was released in early September last after DNA evidence showed that he was not the culprit. Encouragingly, he became the 65th inmate to have a conviction overturned, thanks to DNA evidence, including eight released from death row. These numbers are testimony to the fallibility of our criminal-justice system. It is true that in the court premises thronged by lawyers, policemen and crazy public, the mention of rape is often met with lecherous smile, suggestions of false allegations and hints about the victim's character. The victims often break down and trail ends in a fiasco. The complexity of the situation calls for incorporating DNA test in the evidence act.

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