

# Saifur's CAG bashing

## Finance Minister should strengthen and empower CAG

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It is not surprising that Finance Minister Saifur Rahman is visibly embarrassed with Bangladesh being consistently labelled as the most corrupt country in the world over the last few years. Anyone in his position, or for that matter, any self-respecting Bangladeshi would be equally ashamed of this humiliating label. Mr Rahman expressed his indignation and annoyance with this unhappy state of affairs while addressing the inaugural ceremony of the recently concluded Regional Auditors' General Conference on "Harmonizing Institutional Efforts for Promoting Accountability in the Public Sector" organised by the Office of the Comptroller and Auditor General (CAG) of Bangladesh in association with the World Bank and the Canadian International Development Agency (CIDA).

However, what is appalling is that rather than chastise the officials and institutions indulging in corrupt practices, the Finance Minister chose to take it out on the Comptroller and Auditor General of Bangladesh and make this constitutional position and the institution of supreme audit in Bangladesh a scapegoat for the failure of successive governments to curb corruption in the country. Mr Rahman's criticism of the CAG is bound to send a wrong signal to the corrupt officials that it is the CAG and his officials, not the ones indulging in corruption, who are at fault for the humiliation

resulting from the poor image of Bangladesh.

It is all the more pathetic that Mr Rahman decided to publicly humiliate the supreme audit institution of the country in front of a gathering of visiting heads of supreme audit institutions and other dignitaries. Perhaps Mr Saifur Rahman also overlooked the fact that the office of the CAG is under the administrative control of the Ministry of Finance of which he happens to be the Minister. Therefore, any lapses, perceived or otherwise, of the CAG -- particularly when it is publicly broadcast by him - - is a poor reflection on his own Ministry.

It appears that Mr Saifur Rahman has espoused a rather strange and preposterous logic to support his contention. He is suggesting that the audit reports prepared by the Comptroller and Auditor General documenting the abuse, misuse, and wastage of public funds is being used by agencies such as Transparency International to justify placing Bangladesh in the rather unenviable position at the top of the global list of corrupt countries. In other words, Mr Rahman seems to be suggesting that by demonstrating its transparency and accountability to the Parliament, the CAG is creating an image problem and embarrassment for the government of Bangladesh and should refrain from doing so!

In his concluding speech at the conference, in presence of the Minister for Law, Justice and Parliamentary Affairs and the Chairman of the Public Accounts Committee, the Comptroller and Auditor General

correctly pointed out that no audit objection is trivial or insignificant for the CAG in fulfilling his constitutional obligations and responsibilities as the supreme watchdog of the public purse. Since the CAG per-

desh -- a crisis which is undermining and eroding the very roots of democracy and democratic institutions and resulting in unprecedented degeneration of moral and social fabric of the country -- the

position of the AG from the executive branch of the government. Such a separation would also be consistent with the constitutional role of the CAG since he is responsible to submit his audit reports to the Par-

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forms a constitutional oversight function to prevent abuse of public funds, it is about time that the Finance Minister recognise the letter and spirit of the role, responsibilities, obligations, and functions of the supreme audit institution, and ensures its true independence.

As the editorial of *The Daily Star* of September 1 correctly pointed out, the CAG should be congratulated and not condemned for the audit reports prepared by his office. The editorial also rightly identified that in addition to some endogenous factors, exogenous political factors beyond the control of the CAG -- limitations of his power and authority, roadblocks and impediments from outside, and lack of separation and independence from the executive branch of the government -- constrain his ability to perform his functions effectively and efficiently. At a time when the crisis of governance is at a level never before witnessed in the history of Bangla-

need for strengthening the roles and functions of the CAG has assumed extraordinary importance.

In this context, it is perhaps important to recognise that the Comptroller and Auditor General, in his constitutional position as the watchdog over expenditure of public sector resources, is in a unique position of responsibility in what is often perceived as an unpleasant and thankless task of overseeing and imposing public financial sector discipline. The very nature of the position and the institution of the CAG is, therefore, anathema to the freedom and urge for uncontrolled free spending that is very much a part of human nature. As a result, it is not an exaggeration to say that the CAG has few friends, if any, in the executive branch of the government, and the Minister or Ministry of Finance is perhaps no exception.

Hence, the urgency and the need for a complete separation and independence of the office and

liament through the President of the Republic. Regrettably, however, despite repeated efforts and initiatives taken over the last thirty years, the desired separation and independence of the CAG through reforms and necessary constitutional amendments has not happened.

Perhaps placing the office of CAG directly under the President of the Republic or the Speaker of the Parliament may be given serious consideration.

The position of CAG has been undermined for too long, not the least of which is the discriminatory entitlements and privileges accorded to the CAG compared to other constitutional positions. It is only recently that the age of retirement of the CAG has been increased, even though it is still well below the age of retirement of other constitutional post holders such as the judges of the Supreme Court with a limit on the tenure. However, it

is not only the retirement age of the CAG that is important for the efficient and smooth discharge of his duties and responsibilities. Once appointed, the CAG should have a fixed tenure of at least ten years and

ceasing to hold the office of CAG is essential to maintain the full integrity of the position.

The Finance Minister would be well advised to strengthen the position of the Comptroller and Auditor General of Bangladesh and not to undermine it. He must recognise that it is only through strengthening of the position, and not undermining it, that the abuse, misuse, and wastage of public resources can be effectively dealt with, and the global image of Bangladesh can be improved through increased transparency and accountability.

Realistically speaking, however, it is highly unlikely that any serious initiative for reform to bring about the changes to strengthen and empower the position of the CAG as suggested above through necessary amendments to the constitution will be forthcoming from the Minister or Ministry of Finance or, for that matter, any other branch of the executive such as the Ministry of Law, Justice and Parliamentary Affairs.

The repository and custodian responsible for enforcing public trust, accountability, and transparency in a democratic institution is the Parliament. Hence, it is up to the elected representatives of the people -- the Members of Parliament -- in particular, the members of the Public Accounts Committee (PAC) of the Parliament, to fulfil this vital obligation of strengthening and empowering the position and institution of the Comptroller and Auditor General through amendment to the Constitution allowing for its full

separation and independence from the executive branch of the government. Unlike other parliamentary standing committees, the PAC is the only committee which enjoys the unique privilege of deriving its origin and strength from the Constitution. This demonstrates the importance attached to this committee by the framers of our Constitution.

Another step forward in this direction would be for the Parliament to select the Chairperson for the Public Accounts Committee from amongst the members of the opposition bench, rather than the treasury bench, to strengthen this institution, make it more effective, and give it more credibility. In turn, a strengthened and empowered office of the CAG would be of immense benefit to the Public Accounts Committee in discharging its obligations and responsibilities as the elected representatives of the people. It is up to the Public Accounts Committee to initiate necessary reform measures and bring about constitutional amendments to enable the CAG to truly serve as an independent and effective institution of oversight and perform its role as a watchdog of public expenditure. It would certainly help to make the Finance Minister's job of administering public resources much easier and cleaner.

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# The rise of extremists in Bangladesh

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THE grenade attack on the AL meeting on August 21 once again reminded us of the threat posed by extremists in our society. It is not too difficult to see a common thread in the terrorist acts perpetrated over the last five years.

It all started with the bombing of Udichi's musical programme in Jessore on March 6, 1999. Udichi, since its inception in pre-liberation days, has been a left-leaning musical group that opposed fundamentalism and religious bigotry. To the religious extremists, Udichi was a genuine target for elimination. When the bombs went off in Jessore, the performers from Lalon Academy of Kushtia were on stage. Lalon is a much loved and widely revered mystic poet-singer of Bengal, but to the present breed of Islamic extremists all kinds of music, especially "Sufi" music, is an anathema. So, if you can't stop them, bomb them! The result: 10 dead and many injured and maimed for life, including a few from the Lalon Academy.

On October 8, 1999, religious extremists attacked the Ahmadiyya Mosque in Khulna. The result: 8 dead and many injured. Ahmadiyyas have been in Bangladesh for nearly a hundred years. There was never any trouble until the 1980s when an organisation called Khatme Nabuat Committee sprang up composed of obscurantists. This group has been gathering

strength over the years. They have been attacking Ahmadiyya mosques at various places and have often assaulted and harassed people belonging to Ahmadiyya community. To the utter dismay of the vast majority of the citizen, the government has taken a policy of appeasement that only emboldens the fanatics.

On January 10, 2001 a rally organised by the Communist Party was attacked in Dhaka, killing 7 people. This was followed by an attack on April 14, 2001 on the musical soiree organized by Chhayanot at Ramna Park in celebration of the Bengali New Year's day. Islamic extremists were again suspects because they consider communists as "kafirs" and are opposed to the celebration of Bengali New Year. Again on June 3 that year, a church in Baniarchar, Gopalganj was bombed, killing 10 worshippers. Christians have been living peacefully for centuries in Bangladesh. They are often some of the poorest in the society, mostly of tribal or scheduled caste origin. They never had any conflict or clash of interest with the majority community. The community is not active in mainstream politics. The bombing of a place of worship and killing of so many innocent people put the whole nation to grief. Again, the finger was pointed towards the Islamic extremists who consider the Christians and Jews as enemies.

On October 6, 2002, there was simultaneous attack on four

cinema halls in Mymensingh that left 21 people dead. It was the day of Eid-ul-Fitr. Traditionally, new movies are released on Eid day throughout the country. People go in large numbers to watch the movies as a part of the

Mazar in Sylhet left 5 dead. In both bombing, the fakirs, local Sufi singers, were the targets. Although orthodox Muslims do not approve of their presence in the Mazar, they tolerated it. There was peaceful coexistence

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Eid festivities. Muslim extremists do not approve of watching movies, even less of watching them on Eid day. In October 2002, I saw a number of articles and letters in one of the dailies, known for its fundamentalist views, urging people not to watch movies during Eid and asked the government to close down the cinema halls on Eid day. The bombing that followed was probably aimed at "deviant" Muslims who ignored their warning.

Mazars, the tombs of Muslim saints, are also coming under attack. The bombing on January 17, 2003, at Failla Peer Mazar in Tangail left 7 dead. Next year, on January 12, 2004, bomb explosion at Hazrat Shah Jalal's

of orthodox prayer and mystic chanting in all mazars. I visited Hazrat Shah Jalal's Mazar many a time during my childhood years in Sylhet. There was always a corner at the back of the Mazar, left out for the baul fakirs -- some of whom used to take ganja or hashish as a part of their private rituals. Orthodox Muslims never approved it, but until recently, no one ever thought that they should be bombed out. There were large "gojar" fish in a tank in the Mazar premise and people used to feed the fish with a hope that their wishes would be fulfilled. We knew these acts to be superstitions, but never thought that the fish should all be poisoned. But then it happened! Someone killed all the fish by

poisoning.

There was a bomb attack again at Shah Jalal's Mazar on May 21, 2004. This time it was aimed at the British High Commissioner. He escaped with minor injury while 3 others died.

the year that were secular in nature. These helped to maintain peace and tranquility in Bengali society despite and all the trauma and turmoil that followed partition in 1947. With the emergence of Bangladesh

gious dogma they would not hesitate to use force. Whoever heard the term "murtaad" before? But now anyone who speaks out against religious bigotry is termed a "murtaad" and hunted down. Dr. Humayun Azad was the latest victim. Who will be next?

In Bangladesh today, moderate Islam is being challenged by extremism. Our situation is somewhat similar to that of Indonesia. Islam in Indonesia was, for centuries, a synthesis of local and Islamic culture and traditions. There was never any conflict, until the new breed of extremists started preaching the Wahabi brand of Islam. The Indonesian government was long denying the existence of any militant groups in the country, until Bali bombing -- a catastrophe that came as a shattering blow to the governmental claims.

Interestingly, in Bangladesh both AL and BNP government seemingly tried to cover up the

issues. Not a single incident was properly investigated and people were denied the right to know the fate of the investigations -- irrespective of whether AL or BNP was in power. Whenever anyone spoke of the danger posed by the Islamic militants, the voice was silenced with the excuse that it would smear the national image abroad. It was like nurturing a cancer hoping that it would cure itself. Such denial never pays. I hope the attack on the AL rally on August 21 will help us all to wake up to the danger that is lurking within. One only hopes that both AL and BNP and indeed the whole nation will come together on this issue and confront it squarely before the Frankenstein destroys us all.

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