

Khaleda's threat to bring down the government

Does her rationale hold water?

FRANKLY, Begum Zia's call to bring down the government has taken us by surprise. We are dismayed by her impatience to go back to power. It has been only sixteen months that the government has been in authority and certainly many of its policies merit criticism, but to seek a change in government through agitation at this point in time is bound to create a sense of uncertainty in people's mind. Nevertheless, her statements deserve consideration, come as they do from none other than the leader of the opposition.

Her remarks fall under two categories. In the first is her criticism of the performance of the government, while in the second is her call to initiate movement against the government to cause its downfall.

As for the first we feel that her criticism is valid. No doubt the government's performance has been less than satisfactory in certain areas.

The student's front has been more than an embarrassment for the government, and appointment of judges as well as its plans to change ACC laws has conveyed a feeling of lack of opacity on its part. It is also true that the government has not as yet been able to take concrete actions to increase the output of electricity, a matter that has indeed created much resentment in the minds of the people.

But what Begum Zia has perhaps overlooked is the fact that some of the problems are the consequences of the appalling performance of her government and as such renders the rationale behind the criticisms bankrupt. In the power sector, for example, the present government is trying hard to contend with the legacy left behind by the BNP.

There is lot to be said also about the opposition leader's assertion that people want change in government, and her call to start movement in order to it bring it down. It should not be forgotten that the only accepted method of change in a democratic system is through a general election, and it comes every five years, or a change brought about by an opposition win in a no-confidence motion in the parliament. It would be well for the opposition to remember that seeking change by means other than what is laid down in the constitution has very grave and sinister implications.

We are not sure on what the BNP chairperson has based her argument that people have lost confidence in the government. Has her party undertaken an opinion poll before coming to that conclusion? It should, however, be acknowledged that the AL has lost some gloss since the massive mandate it got in December 2008, but that cannot be the reason why it should be forced to relinquish power through agitation and confrontation. The threat, to put it mildly, is unhelpful and undesirable in a democratic set up.

While we welcome her statement on the trial of war criminals we are constrained to say that Begum Zia's stand on the issue is confusing to say the least. While she says that her party supports the idea, isn't her demand, to publish list of war criminals 'inside AL' first, a dilatory stand? If the leader of the opposition is aware of the identity of war criminals inside the ruling party we feel that she owes it to the nation to reveal the names and thereby help in the speedy conduct of the trial. Otherwise, one gets the impression that her stand is against the trial and a ploy to shield many Jamaat-Islam leaders, her major political allies, from being put in the dock for their crimes against humanity in 1971.

The current political trend is perturbing. We feel that while the government must allow space to the opposition to play its due role the opposition must act in a more objective and balanced manner.

Murders in the city

More effective crime control measures are needed

SIX individuals were murdered in separate incidents in the city on Saturday. That is surely worrying, though there will be people who will suggest that such crimes have generally been the reality not only in this country but elsewhere as well. One does not argue against that kind of argument. But the truth about the six murders in question is something pretty disturbing in nature. And it is that of late criminal incidents in the capital and elsewhere have been on the rise. That points to a couple of facts. One is that criminality seems to be acquiring a degree of impunity that can only make citizens concerned about their safety. The other is that it shows that the police are not only unable to keep our streets and homes safe but that they are also ill-equipped to track down the elements responsible for such crimes.

To be sure, we hear of crime suspects being nabbed and taken into custody for interrogation. There is too the cliché about the police looking for reasons behind the crimes committed, which really should not be the priority of the law enforcers. What they should be doing, every time a murder is committed, is to go into swift action to apprehend the murderers and have them hauled up before the law. But much more important than a nabbing of the killers is a gearing up of police patrols and overall police operations to ensure that the crime rate goes down.

Now, the murders in Dhaka (and they include the killing of two police officers in the past fortnight as well as the murder of three men and their burial in shallow graves by the river Turag) are a powerful pointer to how grave conditions are. Almost every day we come across news of people missing, individuals called out of their homes and then disappearing and bodies of unknown persons being found in the unlikelyst of places. Even children have been kidnapped for ransom and then strangled to death. All these cannot be brushed off as normal. They are, indeed, a sign of the malaise which clearly has been eating away at the moral fabric of our society. And unless the malaise is neutralized, we as citizens will remain worried.

The murders of Saturday are a wake-up call to the police administration. The police must bestir and reawaken themselves to the negative conditions unfolding around them. Constant police patrols in the various localities of the city must be in place, particularly in the late hours of the night. We of course often see RAB and police at work on checkpoints on broad roads. It will help if they also make it a point to patrol the lanes and by-lanes in the various localities.

A big backward move



The government should think twice before taking such a big backward move, which will only send a negative signal and allow the high and mighty ones to act with impunity.

A.N.M. NURUL HAQUE

THE cabinet, in a meeting held on April 26, has approved amendments to the Anti-Corruption Commission Act-2004 in a bid to make the ACC more independent and effective. But the draft amendments suggest it is a big backward move to dilute the power of the anti-graft constitutional body, as these amendments will make the ACC laws discriminatory and allow the government's executive branch to control the anti-graft body.

A cabinet committee, formed in March 2009 to review the ACC legislation, proposed 23 amendments out of which the ACC chief has objected to six. The provision for obtaining government permission before taking legal action against government officials and parliament members suspected of corruption is really a big step towards clipping the ACC's powers.

"Public sector corruption is a grave problem in Bangladesh, corroding faith in government and undermining the rule of law and efforts at reforming institutions like the police and army," said Brad Adams, Director for Asia at Human Rights Watch. "Creating laws that shield government

officials from prosecution would send a clear message that the government is not serious in fighting corruption," he added.

Transparency International Bangladesh (TIB) has been arguing against a number of these amendments, as they feel such amendments clip the wings of the ACC. The TIB sees possibility of political influence and further spread of corruption in administration and other public services if these amendments are passed by the parliament.

TIB Trustee Board's former chairman Prof. Muzaffer Ahmad said that, during the tenure of the Bureau of Anti-Corruption (BAC), the government allowed only 10 percent of the cases to be filed -- which took over 10 years to be settled.

TIB suggested that the ACC be made accountable to a special parliamentary committee comprised of MPs from all political parties and known for highest level of integrity. It also recommended formation of a citizens' advisory committee.

The cabinet also approved a provision for five-year jail and fine for filing a false complaint or case against any individual.

The country's conscious people feel that this provision is a threat to all potential plaintiffs to refrain from complaining to the ACC.

As it is inevitable that all corruption charges brought against state functionaries, though true, may not be proved because of technicalities, nobody will dare to make complaints against them for fear of having to go to jail or paying a fine.

Making the anti-graft body accountable to the president is another way of bringing it under the government's thumb. In accordance with the Constitution, the president cannot take any decision without the prime minister's advice, except for appointing the chief justice and the prime minister.

If the ACC is made accountable to the president in a system where the president cannot act alone, not only will its independence be taken away but its status will also revert to that of the BAC it had replaced. Moreover, discouraging people to lodge complaints by threatening them with jail and fine is also counterproductive.

Hong Kong's fight against corruption is universally regarded as being successful. Before the ICAC was established in 1974, Hong Kong was probably one of the world's most corrupt cities. Corruption was a way of life then, and there was a saying that "corruption existed from womb to tomb!" Also, a close business association existed between law enforcement agencies and organised crime syndicates.

There was strong political will to eradi-

cate corruption, which enables the ICAC to become a truly independent anti-graft agency, directly responsible to the very top, i.e. the chief executive of Hong Kong. This ensured that the ICAC was truly free of interference when conducting an investigation without fear or prejudice.

The UK parliament on April 8, 2010 passed the country's first major overhaul of its bribery laws in over a century, pulling UK companies under the world's most stringent anti-corruption regime. It went even further than the standards set by the US Foreign Corrupt Practices Act (FCPA).

The Bangladesh parliament should reject amendments that restrict the ACC's ability to take independent action against corrupt government officials, including those in the ruling party. All citizens are equal under our Constitution, but these amendments will create a privileged class enjoying immunity from prosecution by the ACC. Surely, these ACC amendments will not only encourage more corruption but also debase the structure of democracy.

Recently, the prime minister directed the National Board of Revenue (NBR) to check every citizen's income and expenditure in a bid to curb corruption. Without questioning the motive behind it, which appears quite sensible, this may open up the floodgates of corruption to NBR officials for sucking the blood of the common people, thereby defeating the very motive behind the PM's directive.

Bangladesh has been one of the world's most corrupt countries for many years. Prime Minister Sheikh Hasina has often reiterated the government's strong commitment to wipe out corruption. But apart from parliamentary approval of the Right to Information Act, very few concrete actions have been taken thus far.

The people have long demanded an ACC that enjoys functional freedom to combat corruption. An independent and effective anti-graft body is of long-term advantage for all democratic governments. But the government appears to be oblivious of this truth.

A great misfortune for the nation is that any government's move for making a body more independent and effective somehow always ends up defeating its very idea; the ACC will not be an exception. Therefore, the government should think twice before taking such a big backward move, which will only send a negative signal and allow the high and mighty ones to act with impunity.

A.N.M. Nurul Haque is a columnist of The Daily Star. Email: annmhaque@hotmail.com.

How much sleaze can you spare, brother?



This much we know thanks to a leak in the government, possibly initiated by an officer who saw this option as a last resort. But think of the perhaps hundreds of conversations between minister and middle-woman that could not be taped. How much sleaze is stored in them?

M.J. AKBAR

MY case is cleared, *na*? said the politician who wanted to be telecom minister to the lobbyist for a telecom major four days before the present Union Cabinet was sworn in last summer. The middle-woman, Nira Radia, was coy and comforting in her first-name-basis response: "Your case was cleared last night only."

The truly touching aspect of the politician's piteous plea is a syllable, *na*. It has every shade of pathos, not to mention every variation of bathos, kneaded into it. The lobbyist is in command, and why shouldn't she be? She knows something that is privy to perhaps three or four people at the very highest level of the present government. She has a vested interest in telecom, and therefore a direct stake in the person who

will run this department.

The minister-to-be, A. Raja of the DMK, is in her debt, and he better not forget it. She does not convey how she knows the decision was taken the previous night, but she implies that she has intervened on Raja's behalf. Raja does not care whether a corporation got him this job or not. He is merely desperate to get it.

We know this today, a year later, because of some sterling journalism done by the television channel Headlines Today, which obtained transcripts and audio recordings of the taped conversation and honoured the profession of journalism by doing the story.

Text demands context for greater clarity. Raja is an intimate associate of the Karunanidhi family and Radia must now be the most famous middle-woman in the world. She is on the payroll of some of the most important corporates in contempo-

rary India, both those with a tradition of grease and those with historic claims to probity.

Corporate warriors did not record this conversation, as a hapless Congress spokesman vainly tried to suggest in defence of an indefensible ally. It was taped by income tax authorities, who suspected Radia of tax fraud, with formal permission of the home secretary. Raja's phone was on tap; Radia's was.

It was fortuitous that the six-month window of taping coincided with a general election and formation of a new government. This information has been available with the Manmohan Singh government for many months now. Its only response was to harass and transfer the officials, as it sought to protect politicians.

It is the right of partners, in a coalition, to demand their quota of cabinet members, but the allotment of portfolios is the privilege of the prime minister. Dr. Farooq Abdullah, a veteran who became chief minister of Jammu and Kashmir in 1982, is not particularly happy with renewable energy, but he has respected the prime minister's privilege.

DMK accepted a change in the other portfolios allotted to its ministers, but made telecom conditional to its participation in government despite the fact that Dr. Singh was reluctant to give it.

Why was DMK insistent and PM reluctant? Because both knew that Raja, as telecom minister in the first UPA cabinet, was involved in a rip-off of incredible proportions. The Bofors allegations, which damaged the Congress in the 1980s, amounted to Rs.64 crore. This 2G scam is said to be of the order of over Rs.60,000 crore, or a thousand times that of Bofors.

If you want to understand the scale of this rip-off, think of this. Ms. Sonia Gandhi has been pressing the government to provide food security for those below the poverty line. Agriculture Minister Sharad Pawar has said the government does not have the resources to do so. The cost of a

year's food security is far less than Rs.60,000 cr.

The unambiguous fact is that Dr. Singh and Ms. Sonia Gandhi were aware of this, but chose silence because the price of disclosure would have been the collapse of the government. DMK has levelled a cash pistol at the head of government, and the head has nodded in acquiescence because the alternative was to watch its brains being blown up. DMK blackmail has worked, and would have continued to do so but for the integrity of some journalists.

The most important question awaiting an answer, unless a large, interconnected, corporate-politician-media establishment protects the brazenly guilty, is: how did a lobbyist know of portfolio distribution? It is ironic that one of the reasons that brought the UPA back to power was a reputation for financial integrity, bolstered by the prime minister's personal image (which remains clean).

Radia was privy to specific details of the politics of government formation, much more than can be discerned by common or even uncommon sense. The tapes are proof of her contacts, at one level; at another, they also reveal the squaleid civil wars within the DMK. The war of succession between the brothers Alagiri and Stalin is only one detail of a diamond-studded opera that is surely beyond the fondness of any television soap.

This much we know thanks to a leak in the government, possibly initiated by an officer who saw this option as a last resort. But think of the perhaps hundreds of conversations between minister and middle-woman that could not be taped. How much sleaze is stored in them?

Nothing, it is said, clears the mind like the prospect of a hanging. Judging by Raja's face after the story broke, nothing confuses the mind like the prospect of demotion, to paraphrase from Hindi, from *raja* (royalty) to *runk* (commoner).

M.J. Akbar is editor of The Sunday Guardian, published from Delhi, and India on Sunday, published from London