

## Further changes to ACC laws?

*Strengthen instead of weakening it*

ALTHOUGH we do not have the details of the proposed changes, basing on what we have gleaned from various sources we feel that some changes are in the offing that are likely to cause the ACC to revert back to the character of the erstwhile bureau of anti-corruption (BAC). It was beholden to the executive branch with very little power and initiative of its own.

Our comments basically stem from the attitude and actions of the government regarding the ACC since its coming to power in early 2009. We have noted with concern the approach of the Awami League towards the ACC which flies in the face of its election manifesto and its professed avowal to rid the society of corruption.

We cannot rationalise the reason for keeping the public servants, for that matter any elected representative, out of the jurisdiction of the ACC. Why is it that only the general public will come under the watchdog's purview? That, we feel, is likely make the ACC a showcase only and the fight against graft and corruption is likely to get the short shrift.

It needs to be remembered that while corruption must be curbed across the board, it is corruption at high places, related to public services, government institutions and development works, that causes the maximum damage to the interest of the nation, not to speak of its negative impact on good governance, which needs addressing. How would the government deal with a case like the 2G scam in India if the ACC were bereft of adequate and independent powers?

Through the proposed changes, the government will be destroying an institution whose unfettered activity could otherwise have helped the government to establish credibility and ensure the interest of the nation by addressing the cancer of corruption.

## Heroes for our times

*Abedin and Banu show us the way*

PHILANTHROPY is not quite dead. Rickshaw puller Joynal Abedin and his wife Lal Banu have shown, in an enlightening way, that even the poor can come to the assistance of the poor. In the twenty five years since his father died from lack of proper medical treatment, Abedin has struggled body and soul (and so has Lal Banu) to come to the aid of those he did not want to wither away like his father. Scraping together the money they have earned, he from pulling rickshaws and she from working in a clinic, they have set up a small charitable hospital and a free coaching centre in their village Hashadia of Paranganj union in Mymensingh. Little wonder then that Joynal Abedin has been dubbed Shada Moner Manush (man of the mind). Little wonder again that individuals and organizations, deeply appreciative of his efforts, have in their own ways come forward to help sustain his projects.

What Abedin and Lal Banu have accomplished, despite their grinding poverty, should be putting many of us, not least the well off, to embarrassment. Yes, philanthropy may not be dead but it is not quite alive either. Time was when the more privileged sections of society set up, quietly and unobtrusively, charitable institutions that were to become part of social history of Bangladesh. Ironically, with incomes rising and business personalities and organizations thriving in a free market economy, little effort has been made to emulate the social visionaries of the past. For all of us, Joynal Abedin and Lal Banu are a wake-up call, a reminder that all of us have a responsibility to assist one another, to be around one another in times of need. Every society is a network of inter-connecting goals serving the national objective of building a liberal, exploitation-free and humane socio-cultural matrix. Joynal Abedin and Lal Banu are heroes in our times. They remind us of what we can do, or should have done, as

### KALEIDOSCOPE



SYED FATTAHUL ALAM

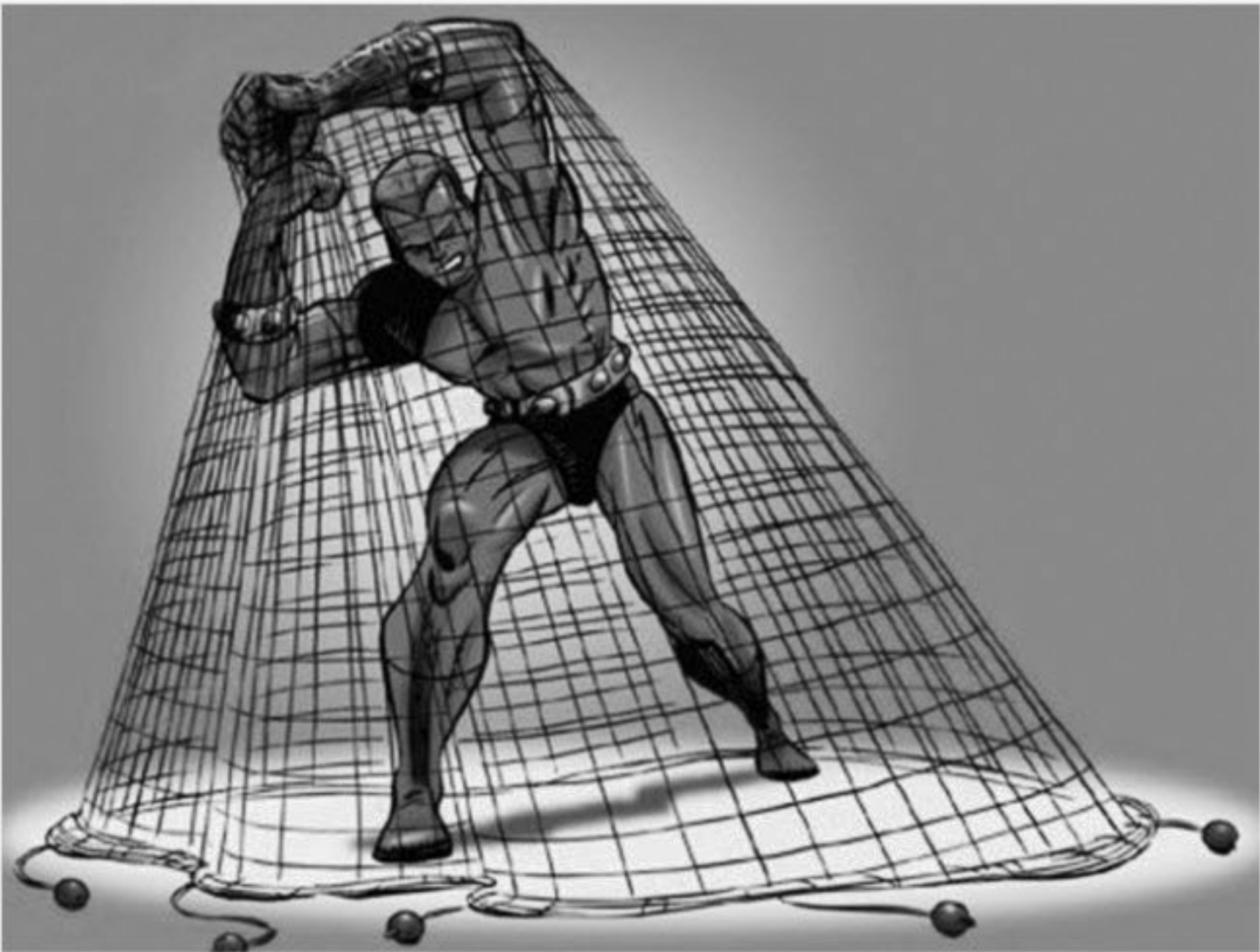
THE Anti-Corruption Commission (ACC) is reportedly going through another spell of watering down in the cabinet. The fresh amendments being made to the ACC will be made into law once they are passed in parliament. And if that happens, the government servants will become sacrosanct, out of reach of the ACC. It will then need prior permission from the government before filing any case against any official or employee of the republic.

Who would then remain within the ambit of the ACC? Who else other than the poor commoners, who are forever exposed to the elements?

Another very strange aspect of this amendment is that it is being kept under strict secrecy. Stranger still is the cabinet secretary's plea that making those public will confuse the public! Are the public already not confused about the goings-on in the cabinet, since they have already started gossiping and rumours are going the rounds questioning the real intention of the government about the ACC.

So, what is the use of this secrecy, if it serves only to further intensify the confusion, which the government is said to be so fearful of? What is more, once enacted in parliament, won't those changes made in the ACC be in the full glare of the public? Does not such attitude go against the very spirit of the Right to Information Act, which the government enacted to bring transparency in the affairs of the administration and increase the public's access to such information? And was the Information Commission consulted in the matter, which is mandatory in this particular case?

Take another provision of the proposed amendments. That is about two to three years' prison term for anyone found guilty of filing a false



PETER RICHARDSON

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allegation or case of corruption against anybody.

There is no question that bringing any kind of false charge against a person should be a culpable offence. Does it not then apply to any case under the sun? For no allegation or charge is true until it is proved so in the court of law. And the very purpose of investigation is to judge the merit of a charge before finally sending it to the court for trial.

To all appearances, the purpose of this provision will serve as a disincentive to the potential quarters willing to help the ACC in pinpointing corruption or even put a damper on the ACC officials' spirit to go all out against corruption.

The most alarming of the attempts

at emasculating the ACC is the reported cabinet decision to appoint the corruption watchdog body's secretary by the government. What will then be left of the so-called independent ACC which was formed in 2004 from the ashes of the erstwhile soulless Bureau of Anti-Corruption in order that the government servants could be brought under closer scrutiny?

All these developments point again to the government's very intention about the ACC. What is then the use of this lame duck ACC, if it remains at the beck and call of the government?

If combating corruption is the objective of creating the ACC, then why are these repeated attempts at weakening it by such amendments?

The questions are too many to have a satisfactory answer. But what is clear from this latest attempt by incumbent government is that it does not want this anti-corruption watchdog to function the way it should do.

Though the report on the proposed amendments underway amid strict secrecy in the cabinet under the prime minister's supervision will raise many eyebrows, those well-versed in the functioning of our governments would hardly be surprised. For the political bosses of the government officials were never above board. They are often so apt at making the bureaucracy a scapegoat for all the corruption in the government. But can they truly deny that there is a nexus between the bureaucrats and their political bosses? For the proverbial tango needs two to play.

How easily the public representatives have become oblivious of the pledge they had made to the constituents to rid the administration of corruption during the election! If they had any feeling for their constituents, how could they use parliament to enhance their own perks, pays and a host of other benefits at the expense of public exchequer? And corruption? Well it is least said the better.

Despite the elections being held every five years to elect a new government, the basic character of the machinery to govern has remained unchanged over the decades. Had the elected representatives of the people been above board, then there would still be some hope for a change for the better in the affairs of governance. But the current crop of public representatives, excepting very few, has not been able to evince the kind of integrity and aptitude that is needed to break in the age-old horse of bureaucracy.

The way the government is learnt to be proceeding to bowdlerise the ACC's power to sue the any government servant including members of parliament, representatives of local government ministers, one wonders what purpose the anti-corruption watchdog will ultimately serve other than just watching with philosophical disinterest as the rot engulfs the entire system?

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# On sticks and stones and the stock exchange

## ✿ THIS DAY IN HISTORY ✿

February 28

**1854**  
The Republican Party of the United States is organized in Ripon, Wisconsin.

**1922**  
The United Kingdom ends its protectorate over Egypt through a Unilateral Declaration of Independence.

**1928**  
C.V. Raman discovered Raman Effect.

**1947**  
In Taiwan, civil disorder is put down with the loss of 30,000 civilian lives.

**1953**  
James D. Watson and Francis Crick announces to friends that they have determined the chemical structure of DNA

**1972**  
The United States and People's Republic of China sign the Shanghai Communiqué.

**1974**  
The United States and Egypt re-establish diplomatic relations after seven years..

**1986**  
Olof Palme, Prime Minister of Sweden, is assassinated in Stockholm.

**1991**  
The first Gulf War ends. A ceasefire was announced in Washington by President George Bush after Iraq accepted all 12 resolutions made by the United Nations

**1997**  
GRB 970228, a highly luminous flash of gamma rays, strikes the Earth for 80 seconds, providing early evidence that gamma-ray bursts occur well beyond the Milky Way.

### Deaths

**1963**  
Rajendra Prasad, First President of India (b. 1884)

**1967**  
Henry Luce, American publisher (b. 1898)

MAHFUZUR RAHMAN

A few years ago I wrote an article in these pages about the use of the lathi, the sturdy stick, as an instrument of oppression. I had in mind the age-old tradition among the police of beating up peaceful political demonstrators. I considered it a brutal denial of people's democratic right to protest. I pleaded for a total ban on its use.

Still against the use of the lathi in principle, I have been nursing second thoughts in recent days. What brought about the change in me is a series of television footage of stone-throwing, window-smashing, fire-raising crowds rampaging through the commercial hub of Dhaka. Not that there is anything new in such acts of violence in the country.

What is new -- though the phenomenon is already beginning to acquire a life of its own -- is the face of the agitators. Not for them is any lofty goal of high politics. They are members of an emerging class in society; the stock holders. The Dhaka Stock Exchange has been in a freefall over the last few weeks. Investors had lost money. They were out on the street to protest. They were using brickbats to get their money back. A mild upturn in stock index in more recent days has brought about a relative calm. But to call it the end of the matter would be a triumph of hope over experience.

To cooler heads, a stock exchange is in essence an important part of a system of what economists fondly call financial intermediation, other parts being, for example, the banks. The system brings together -- intermediates between -- the owners of capital and its final users. It lies at the very heart of capitalism. This may be a little hard to believe, but the stone-throwing, police-bashing crowd in our present story is actually a horde of capitalists. Normally, it is the proletariat who are expected to act in that

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fashion; after all they are the ones who have nothing to lose but their chains. Yet here we have slogan-chanting capitalists, who have everything to lose, acting exactly like their nemesis, the proletariat. It looks very strange.

Or perhaps it is not so strange. After all the idea of getting rich as quickly as possible with as little pain as conceivable pervades the society, of which the new breed of capitalists is a member. The much talked about corruption that pervades practically

all institutions of society can after all be seen as attempts of individuals to get rich quickly, at the expense of others.

On the other hand, a stock market is unlike any other institution. Not only is it relatively new; it is also always complex and often opaque in its working. Information on which to base a decision to buy or sell a stock is often difficult to come by, and if available, hard to interpret. Herd instinct frequently takes the place of "rational" decision. This is true of all

stock markets, including the most mature and sophisticated. This is also a recipe for the volatility that stock markets are all too well-known for.

In this milieu, the idea of getting rich quickly can be very tricky. In the very short run, the possibility of getting ruined is just about as high as the likelihood of making a quick buck. The stock markets are totally devoid of compassion for the loser.

It is inconceivable that nobody told the budding capitalists about the dangers of the short-term. I believe

investors of average intelligence are fully aware of the risk they are taking while investing in the stock market. They do not invest their savings in the stock exchange for the good of the economy; they do it solely for their own good. They do not sell their ancestral land to buy stocks in order to see the economy transiting from the traditional to the modern. They certainly do not borrow from banks to invest in the stock exchange in order to see the economy of the country soar. In taking the risk all too inherent in the stock exchange, they are driven solely by profit motives and should be entirely on their own.

Much has been said about the government's handling of the present tumult in the stock markets. Some of the criticisms have considerable merit, in particular those directed against the apparent lack of leadership and u-turns in policy. The allegations of stock manipulations and insider trading are not unique to the stock markets of the country, but these have to be looked into and, we are told, are being investigated.

But all of this is beside the point. Like any other new institution, the bourses will take time to function properly. Meanwhile, those who have embraced it have done so knowingly, warts and all. They should not be taking to the streets when it hurts.

The writer is a former United Nations economist.