

## Universities without VC

Raw deal to serious private initiative

IT'S a pity that out of 54 private universities in the country, as many as 30 have no vice-chancellor. Although in financial affairs, the entrepreneur or the board of trustees is important, but in matters, academic and administrative, the role of VC in a university is extremely vital in the running of the institution. The upshot of so many private universities running without systemically appointed VCs -- there are acting or designated ones, though -- has been that they couldn't hold convocations and distribute original degree certificates duly authenticated by a properly inducted VC.

In spite of such a serious fundamental drawback in private universities, some of them leading ones, they are teeming with student applicants for admission signifying, in general terms, that there exists a very high demand for private university education in the country. It, therefore, defies understanding as to why such a large number of private universities are having to operate, or operating without a full-fledged VC. What has been the role of the government, education ministry and the University Grants Commission in all this?

The University Grants Commission had sent a draft law on private universities to the government's policy making authority almost a year ago, but nothing has since been heard of it, except for the fact that the private university people are opposed to some of its intended contents. The private university lobby would like the trustee boards to have a majority in the syndicate. But according to the draft law, it is understood that government nominees will have the weightage in the formation of syndicate. If that be the case, then it would amount to governmentalisation or politicisation, if not nationalisation, of the private universities.

While people in authority blame private universities for many shortcomings, including not having VCs or treasurers, the private universities, on the other hand, hold the government responsible for delay in the processing of files for appointment of VCs. It doesn't augur well for the future of private universities that appointments of VCs are made or withheld due to political considerations. Both are equally bad.

## Playing around with South Parkland

Another high level intervention needed

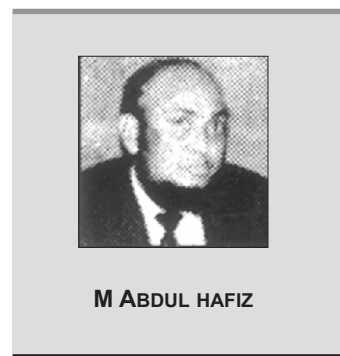
GULSHAN South Parkland was handed over to the DCC by Rajuk several months back for developing it into a green park area. However, subsequently it was made known by none other than the Dhaka mayor that a community centre was going to be built in the premises. He said that this was based also on an explicit interest shown by the local member of the Parliament and the area ward commissioner. In the meantime, following a litigation suit in public interest filed by the Gulshan Society in the High Court in December last, the court ordered that the DCC restrain itself from using the park space for any other purpose than maintaining and developing the same as a green park. Following the court order no less than the Principal Secretary to the Prime Minister at a meeting on March 15 asked the DCC for the second time to either develop the land as a park or hand the same over to Rajuk. A similar opinion was also expressed by the secretary of public works.

We find it rather strange that even after such clear instructions from the office of the Prime Minister and in spite of the High Court directive, let alone public interest in the matter, how work on green park development could be put on hold? We have seen in the past that orders issued from the PMO were not quite implemented. To say the least, this is bad for the entire administration and does contribute to the erosion of the system's credibility.

As it is, there are but a few public parks worth their names. Grabbing of land including parts of city lakes and water bodies for commercial purposes by vested interest groups has run riot. This state of affairs simply cannot be allowed to continue. This is not only affecting the health of our citizens now, who have hardly places to go for some leisurely stroll or a walk, but is also bound to affect the future generations in many ways.

It is time the PMO intervened effectively.

# The tectonic shift in South Asian Order



M. ABDUL HAFIZ

## PERSPECTIVES

It was nevertheless clear even before Bush left for South Asia that the fast developing US' strategic partnership with India was deeper in substance and wider in scope than its relationship with Pakistan. The US declaration of March last year regarding its intention to help India become a "major world power in the 21st century", the US-India defence pact of June, 2005 and the US-India nuclear agreement of July 2005 had already laid the foundation for their qualitatively upgraded strategic relationship.

ALTHOUGH India, South Asia's core constituent had once been the 'Jewel of British Crown' the later day South Asia with its all other constituents remained more of the world's back water and gradually slid into irrelevance for expansionist western powers. Even after the cold war spilled into the region with Pakistan falling into the embrace of Uncle Sam during the fifties and its roller coaster relation with the latter had its ups and downs the region being poor and backward continued to be ignored. The non-alignment being cornerstone of her global policy India stubbornly attempted not to be identified with any power blocs. Later in a major turn-around India with its staunchly rightwing BJP government at the helm courted the US for the first time and seemed to be pitching tent permanently in American camp during the Clinton era.

Yet South Asia did not really

figure any prominently in the US' foreign policy calculation until Pakistan's prompt and positive response to the US' post-9/11 'either with or against us' ultimatum and China increasingly emerged as 'other superpower' in an unipolar world. And only then the US couldn't but focus its attention to the region.

In the meantime Pakistan had never been at ease vis-a-vis India with regard to her security and always sought to have a parity of sorts with her arch enemy. And the US somehow charitably treated her in this regard despite stark asymmetry in their overall balance of power. Through its even handed treatment of the both the US always maintained a semblance of parity between the two -- particularly as she bestowed on Pakistan the status of major non-Nato ally and she became the frontline state in the US' war on terror in Afghanistan.

Even in the aftermath of 9/11 the US chose to respond favourably to Pakistan courtship

although India was equally prepared to do the bidding for the US. Just why Washington preferred Pakistan's offer to that of India depended on bewilderingly diverse factors -- the most important being Pakistan's strategic utility; whether and to what extent its leaders seemed 'able and willing' to combine Pakistan's national interests with the US' policy imperatives of the day. Pakistan seemed to have fulfilled the requirement. So much so that at the peak of Pakistan's all round compliances Pakistan's military ruler, General Musharraf, was summoned to Camp David -- considered an honour for any third world leader. That too was accompanied by \$3.1bn aid package.

On Pakistan's part the country meticulously followed the US anti-terror script not only by ditching Afghanistan's Taliban dispensation it helped creating but also by hunting down fleeing and hiding Taliban and Al-Qaeda operatives and handing

over terrorist suspects to the Americans as well as allowing the US Marines and FBI agents to walk in and out of Pakistan with impunity.

Despite this and many more concessions made by the Pakistani President, George Bush's approach to South Asia indicates clearly a major shift in the US' policy refracted most sharply by his recent visit to the region. Not only has the US 'policy delinked India and Pakistan as meriting some semblance of parity, India seems to be occupying the centre stage of US' attention and its administration's favour. While Pakistan may well be strategically located it does not translate into any lack of options for the world's sole superpower.

This is as much a reflection of India's pull with world's largest democracy as it is also about attractions of Indian market or about countering the growing weight of China in Asia as well as the global stage. First of all, the Bush administration sees

India not only as a functioning democracy, it regards New Delhi as a stable manager of conflict and transition, Delhi's capacity to absorb internal dissent without significant threat to central stability as a key factor attracting the US' state and private investors' confidence. Secondly the scope of new partnership between the US and India is being seen not only at a regional level but as embracing a larger global strategic vision. If there are any doubts about the limits of the military partnership between the two, it has been eliminated by the unusually explicit statement issued by the US defence department hailing the deal as opening a path for more American-Indian military cooperation.

Although some resistance is expected from China against the blatantly anti-Chinese move it is also probable to expect Britain, France, Germany and even possibly Russia in favour because the move would clear the way for them to profitably sell nuclear fuel, reactors and equipment to India.

It was nevertheless clear even before Bush left for South Asia that the fast developing US' strategic partnership with India was deeper in substance and wider in scope than its relationship with Pakistan. The US declaration of March last year regarding its intention to help India become a "major world power in the 21st century", the US-India defence pact of June, 2005 and the US-India nuclear agreement of July 2005 had already laid the foundation for their qualitatively upgraded strategic relationship.

the US-India defence pact of June, 2005 and the US-India nuclear agreement of July 2005 had already laid the foundation for their qualitatively upgraded strategic relationship. Bush's India-visit was the logical culmination of the process set in motion by the two countries earlier and a confirmation of the decision taken by the US to develop special strategic ties with India in pursuance of its global agenda. Nothing stood in the way: neither an unwritten US policy of treating the region's arch rivals with a semblance of parity nor India's time-honoured Nehruvian tradition of shunning alliance politics and maintaining a non-aligned posture.

In the meantime, the left partners of Delhi's UPA government are worried over the developments while the sensible Pakistanis think that they got the right proportion of respect and rewards that they deserved even if Bush's visit to Islamabad was almost non-event as compared with what it was in Delhi. The high profile visitor and his hosts in Delhi displayed a sense of destiny in both regional and global term. Compared to that there was a feeling of betrayal in Islamabad after what services it rendered to Bush's global war on terror.

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# Government can claim credit for NGO achievements

The vibrant NGO sector can help the government achieve the goals of poverty reduction, education for all, improvement in health and nutrition, elimination of gender disparity and making the basic services more inclusive, the millennium development pledges of Bangladesh, but even more important, the obligation of the government to the people.

MANZOOR AHMED

BANGLADESH has perhaps the most well developed and effective NGO sector in the world. The most respected, talented, and accomplished people in Bangladesh today are in the NGO sector; for instance, Prof. Yunus, the pioneer of Micro-credit, and Fazle Hasan Abed, the founder of the world's largest and perhaps most effective non-governmental organization. Almost everything that Bangladesh has ever achieved has been achieved in spite of the government."

These points were made by Zafar Sobhan in his Daily Star column on March 24. Referring to the Citizens' Dialogue kicked off under the auspices of the Centre for Policy Dialogue and the national daily newspapers, Prothom Alo and Daily Star, he rejoiced that civil society had got off the fence and expressed its willingness to get its hands dirty in politics.

It would be strongly disputed by many that everything ever achieved in Bangladesh is attributable to NGOs and the private sector. I would like to underscore the other point that Sobhan made. As he put it: "As good as the NGO

sector and the private sector may be... it is government that builds roads. It is government that provides sewerage system and water and electricity. It is government that must maintain law and order and provide justice. Even if we outsource services such as education, we nevertheless need government to set up a curriculum and ensure that standards are maintained."

In the world today, with the winds of globalization blowing in a gale force, with growing acceptance of the civil society role in a democratic polity, and the flame of rising expectations of people being fanned by the information society, there is no alternative to mutual support and a strong partnership between the authorities of the state and the non-government actors in society.

There are many stories of success and accomplishments of government-NGO partnership in fields where Bangladesh has done well compared to South Asian neighbours and other developing countries. The micro-finance approach in poverty alleviation, originating from the genius and vision of Prof. Yunus and Grameen Bank, has prospered and spread with imaginative measures taken by the gov-

ernment. Palli Krama Shahayak Foundation (PKSF), was established by the government and serves today as the source of capital funds for most micro-finance NGOs in the country.

Collaboration between the Ministry of Health and BRAC and other NGOs, with encouragement of international organizations such as UNICEF and WHO, has been critical to Bangladesh's performance in child immunization and spreading the knowledge and practice of oral rehydration solution for preventing death from diarrhea. Government-NGO collaboration in these two activities has made it possible to achieve the much acclaimed reduction of child and infant mortality in Bangladesh. Success in improving contraceptive prevalence and the consequent reduction in fertility rate, another Bangladesh accomplishment, have also been possible through close cooperation between the government and NGOs. Sanitation and clean water provisions in villages and control of TB, especially of drug-resistant strains, are other examples in which progress is being made through government-NGO partnerships.

Recognizing the need for government-NGO cooperation,

and inspired by the success of PKSF, a new NGO Foundation has been established by the government with an initial fund of Tk 50 crore provided by the government. Managed by a governing body representing the government, NGOs and civil society, the aim of the NGO Foundation is to provide grants to small NGOs for development activities. If it proves its effectiveness as a funder of worthwhile and effective NGO activities, it can be a means of support for local and community-based development initiatives all over the country.

The examples cited unfortunately are not the norm in all spheres of development. In education, for instance, one would expect great potential for partnership, given the importance of community and popular involvement in maintaining quality of services and ensuring accountability of institutions. There is also a good record of innovative work by NGOs in education, such as those in non-formal primary education of BRAC and the combination of vocational and general education for working children of UCEP, both of which have been acclaimed internationally. A number of other NGOs have pioneered innovations and established a track record of good work in education. There is also an excellent forum of education NGOs called the Campaign for Popular Education (CAMPE) which includes members with recognized accomplishments in

education. CAMPE's membership eligibility ensures exclusion of fake organizations which spring up solely to bid for government contracts (e.g. when government offered funds to NGOs for undertaking literacy and post-literacy courses).

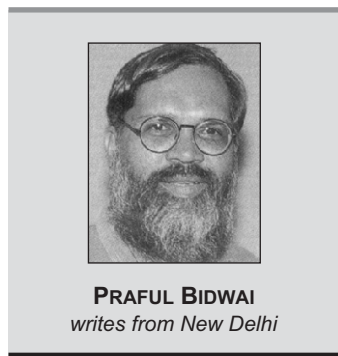
The assets that the nation has in the form of effective and dedicated NGOs with good experience in education can be utilized in implementing national programs such as the Second Primary Education Development Program (PEDP II) and the sub-sector reform program at the secondary level. Local level and school level management, involvement of the community and parents, greater accountability of schools, effective functioning of the managing committees, better training and support for teachers, ensuring that the poor and the disadvantaged children are not excluded and helped to perform better in school are the ingredients of the reforms aimed for in these programs. These are precisely the areas where NGOs have a great deal to offer. These are the areas where conventional, bureaucratic and centralized approach, the hallmark of our public education system, left to its own devices, cannot deliver. A good model of partnership in the education sector where the strengths of NGOs can be used, and not stymied by bureaucratic control over numerous details, has to be supported. In fact, there have been plenty of negative examples of government-NGO

collaboration in the education sector. The focus has been on compliance of certain rules rather than actual learning outcomes. And true to expected contract-award practices of the government, corrupt and inept organizations, sometimes created overnight, have been awarded the contracts. The relationship needs to be of partnership, jointly determining the objectives, the monitoring process and assessment criteria, between government and organizations which are well-known and have a record of service.

The good examples of partnership between the government and NGOs need not be confined to a few activities cited above. The vibrant NGO sector can help the government achieve the goals of poverty reduction, education for all, improvement in health and nutrition, elimination of gender disparity and making the basic services more inclusive, the millennium development pledges of Bangladesh, but even more important, the obligation of the government to the people. The government, by embracing NGOs as partners, and by supporting, facilitating, and promoting their work, can claim credit for the success of NGOs and own, on behalf of the nation, the achievements of NGOs.

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# Damage control over office of profit: Sonia's welcome resignation



PRAFUL BIDWAI  
writes from New Delhi

What we must discourage and punish is the pernicious practice of appointing legislators to sinecures such as members of state corporations, regional development boards, cooperative banks, etc. Most state governments make such appointments to subvert the norm on cabinet size (not exceeding 15 percent of the legislature's strength) and "buy up" majorities.

Last week, she was on the defensive. The UPA deviously moved to get an ordinance issued to amend the Parliament (Prevention of Disqualification) Act, 1959 and remove several posts from the definition of "office of profit" so they don't attract disqualification.

It's irrelevant to ask if the planned ordinance was only meant to exempt the chair of the National Advisory Council. The UPA behaved in a Machiavellian way. It didn't move a Bill. It aborted the Parliament session.

Ms Gandhi's resignation was a damage-control exercise. But it was performed with a flourish and helped her capture the moral high ground. Ambiguity still persists about one issue: was she a party to the ordinance move? Or did self-styled Sonia "loyalists" like

Messrs Pranab Mukherjee, Shivraj Patil and H.R. Bharadwaj keep her in the dark?

The second seems likelier. Nevertheless, the impression has spread that the Congress hasn't played fair. When an MP (Jaya Bachchan) from a rival party was disqualified, many Congressmen gloated.

However, let's assume that Ms Gandhi was a party to the ordinance plot. It nevertheless redounds to her credit that she corrected course by quitting. When politicians who know how to be crooked play with a straight bat, we should welcome them.

Many people believe that Ms Gandhi's resignation is more a tactical gesture than a moral one. But they shouldn't fault good tactics which promote public accountability and cleaner poli-

tics. Good tactics are better than bad tactics even when motivated by self-interest.

Ms Gandhi's resignation underscores three lessons. First, the Congress must stop stealthily manipulating the political system. Its devious conduct in Bihar and Karnataka cost it power. Some state Governors appointed by it have proved as partisan as those appointed by the BJP.

The Congress didn't cover itself with glory by letting Mr Ottavio Quattaracchi withdraw money from a London bank in a cloak-and-dagger operation -- although he's an absconder in the Bofors case. Such moves will cost the party sympathy when its policies -- e.g. on foreign and security affairs and the economy -- are unpopular.

The UPA's record has disap-

pointed many. Ms Gandhi's resignation will rejuvenate the Congress only if it takes recent events to heart and mends its ways.

Secondly, the BJP must give up its obsessive demonisation of Ms Gandhi. Its "foreign origins" campaign betrays unacceptable intolerance and xenophobia. It's not going down well with ordinary people, for whom Ms Sonia Gandhi is as much of an Indian citizen as the Karachi-born Mr Advani.

The BJP self-righteously attacks the Congress on the "office-of-profit" issue. But it's equally vulnerable. In Jharkhand, 11 of its MLAs hold offices such as parliamentary secretaries and heads of regional development boards and public-sector corporations. Besides, 10 BJP MPs have been named in offices-of-profit complaints.

Finally, India urgently needs to reform the offices-of-profit law. This will help all: 40-odd MPs from the Left to the Right are charged with holding such offices.

The rationale for disqualifying law-makers from holding such offices derives from the principle of separation of powers between the legislature and executive. If MPs and MLAs take up executive posts, they can't impartially scrutinise the executive and hold it accountable.

The principle is unexceptionable. The trouble is, "office of profit" hasn't been defined in the Constitution or in the 1959 Act. Ministers are excluded from the definition. Beyond this, the criteria are fuzzy. Parliament can exempt all or any "offices".

So the "office-of-profit" doctrine has been called a "legal fiction" involving arbitrary excess of legislative power. Anyone can make a complaint about a legislator and create trouble.

It's imperative that Parliament enact a comprehensive legislation in which the central criterion is separation of powers of the executive and legislature -- to allow both to function efficiently.

The 1959 Act is built on a case-by-case approach. It has

been repeatedly amended to exempt more and more categories from disqualification, including opposition leaders, party whips, Sheriffs of three cities, members of the senate/executive committee of universities, members of the Scheduled Castes & Tribes and Minority Commissions, and of any official delegation sent abroad.

This doesn't settle the issue. For instance, the NAC isn't an office of profit. It's an "advisory" body, whose advice is not binding on the government. It's not a statutory "monitoring" committee, like the Comptroller and Auditor-General.

Similarly, Ms Jaya Bachchan's appointment to the UP Film Development Council can't interfere with her parliamentary work.

Such exemptions from disqualification should be extended liberally to advisory bodies -- and genuinely functional committees. As Justice V.R. Krishna Iyer wisely observed in 1977:

"Our Constitution mandates the state to undertake multifarious public activities on a massive scale... [Given this], can we keep out of elective posts... an army of non-officials who are wanted in various fields not as full-time government servants but as part-time participants in peoples' projects sponsored by the governments."

What we must discourage and punish is the pernicious practice of appointing legislators to sinecures such as members of state corporations, regional development boards, cooperative banks, etc. Most state governments make such appointments to subvert the norm on cabinet size (not exceeding 15 percent of the legislature's strength) and "buy up" majorities.

Preventing this is part of the larger agenda of democratic reform. It must not be abused to settle political scores. But can India's MPs maturely evolve such a consensus?

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