Welcome Court Decisions

The two judgments by the High Court, dismissing the two writ petitions, come as a great relief to the nation. The Honourable Judges have once more helped to clean a constitutional tangle, and move the nation forward. They have helped to put important constitutional and legal points in their proper perspectives; and clarify the roles of the court and the Parliament. The judgments help us to understand better what subjects fall within the purview of judicial review and what are the exclusive domains of the Parliament. There were two writs before the High Court, one challenging the en masse resignation of the MPs and the other questioning the right of the Speaker to delay his ruling on resignation of the MPs. The fact that the two petitioners belonged to two distinct political groupings that now divide the country, gave the two petitions very distinct political colours. This fact was not lost on the Honourable Judges. Thus while the court hearing was going on, public doubt was expressed as to whether or not the courts were being dragged into politics, or whether or not courts were being used for political ends. Justice Rahman's remark that "It is surprising to us that none of the resigning members of the Parliament have come before the court to seek any remedy or to uphold their constitutional rights." hits the nail on the head on this count, and is indicative enough that there were more to the petitions than met the eye.

There still exists scope for the petitioners to appeal. We hope that they will not. We believe that the judgments adequately address the questions. Further appeal will only add to prolonging the judicial process, and further delaying the resolutions of the problems which, as we all know, are essentially political.

The judgments help to put behind us a rather tricky situation. At some stage it appeared, at least superficially, that the judiciary and the Parliament were on a head-on course. The Speaker behaved wisely by responding to the call of the Judges. And the Judges gave due honour and prestige to the Parliament, by upholding the Speaker's position. Now that we are out of the woods, if there is no appeal, let us recall the parting words of our former Chief Justice Shahabuddin. In his farewell speech to the Bar Council, he said we should, under no circumstances, involve the judiciary to resolve our political problems. Let us take his wise words to heart, and learn this supremely important political lesson, if we want to see a healthy growth of our judiciary and of our Parliament.

A Wise Verdict

The Lahore High Court has set aside a lower court verdict sentencing a 14-year old boy and his uncle to death on charge of blasphemy against Islam. The judges said the charges against the accused had not been proven sufficiently.

We, of a nation that comprises an overwhelming majority professing Islam, do congratulate Pakistan on its getting past one of its hardest ordeals which was at once a grave challenge to both the society and the polity of that nation: The High Court decision has literally removed a killing mount of a weight from on top of our breasts. How relieved must have the saner among the citizens of that country felt over the verdict! The Lahore HC judgement has also saved the Pakistan judiciary from a great danger.

Countless crimes, each more harrowing than the other have been committed in the name of religion throughout history. Another such criminal act has been averted at a time when, unlike in the medieval times, such unjust action pushes a society backwards by centuries and throws its constituents into renewed hell of prejudice and insecurity.

It was Igbal who had observed that Islam is enlivened after every Karbala. The Pakistani judicial decision has done exactly that by leading not only Islam but the whole of secular systems of ecohomy and administration and society of that state past the Karbala of the blasphemy action.

We do not have fewer religious bigots than they have in Pakistan. The truly Islam-loving among our citizens and even those bigots, wanting not to react to that important decision, would surely have faced the dilemma of their life had the HC uphold the death sentence. Each one of them would have felt a share of guilt and shame for all of their lives. It is they who also have been saved by the wise verdict.

Our Picture of Liberte

It is gratifying to see Dhaka record its appreciation of Kalpana Dutta, the Agnijuger Biplobi (the Age of Fire Revolutionary), by holding a civic memorial meeting. Earlier this month this venerated darling of a whole generation and more had passed away in her adopted city Delhi at the age of 83. The wife of another legendary leader of the subcontinental revolutionaries. Puran Chand Joshi, she was the Kalpana-di to all on both sides of the Radcliffe line. And like all good Bengalees, she was till death, bound very strongly to her village culture.

Kalpana was, by both appearance and achievement, a most unlikely candidate for the fame that came her way - a gritty rebel against British colonialism. Uncommonly beautiful in figure as well as mien, she was particularly good at her studies. She was the first girl to matriculate from the whole Chittagong division and was the only woman student in her college. And she threw her lot with Master-da Surya Sen and his valiant revolutionary fighters. She actively participated in the heroic raid on the Chittagong Armoury in 1933. She was only 20 then. She was our picture of Liberte who led the masses in Delacroix's immortal painting.

The Muslim League of M A Jinnah very consistently avoided to come into conflict with the British colonial masters. Pakistan was in a way a reward for that. The emergence of Bangladesh rejected that politics of communalism and standing aloof from the freedom struggle against colonialism and brought the new state past a temporary aberration into the mainstream of political becoming of the subcontinental peoples. Bangabandhu celebrated this return by naming one of the DU residential halls as Surya Sen Hall. But subsequent developments would not allow anticolonial struggles of our people to become a thing of national glory. The civic memorial meeting held in Thursday signifies a break in that vile anti-Bangladesh trend.

Persecution of women in Bangladesh is escalating. One big reason for that is women are coming out on the roads and are resisting. Kalpana-di, the revolutionary, will be a source of unending inspiration for our justice-to-women activists.

ON GOOD GOVERNANCE

Political Masters Must Call the Right Tune REPARATIONS must be

by Kazi Fazlur Rahman

Unless the political masters call the right tune, servants of the Republic — both high and law — will continue to misstep. Precepts would not be enough; examples have to be set through everyday actions.

interest being displayed of late by almost every bilateral and about it should be welcome. multilateral donor, it would be Conduct a countrywide reasonable to surmise that the poll, and it is a sure bet that issue of "good governance" is ninety out of hundred, includgoing to feature prominently in ing those at the helm of the the meeting. And given the affairs, will accord a very high apparent lack of much interest priority to the improvement in or ability on the pact of the governance. If donor persua government to do little more tion is the only means left to get a move on, so be it. than set up one committee after another -the time-Yet, it will be a mistake if honoured devise of eschewing the donors only talk about a any hard decision - the grand restructuring of the gov-

ernment machinery in its en-

ease the life of the ordinary ci-

tizen cutting down the hassles

in his interactions with any

government agency, whether

delivering a service or exercis-

ing a regulatory function. And

good many changes may be in-

troduced within the existing

structure contributing signifi-

cantly to the achievement of

what can be done if ap-

proached in the right spirit

may be worth citing. Till re-

cently, a Bangladeshi citizen

returning from abroad had to

fill up a disembarkation card of

great complexity and length.

Some anonymous champion of

good governance in the Home

Ministry must have asked the

question, "Does it serve any

useful purpose? Is it at all nec-

essary?", and found, the an-

A couple of examples of

this objective.

receiving end of what may tirety. Good many improvesomewhat euphemistically be ments can be brought about by described as "strong a gradual incremental appersuation" for some concrete proach. An important, perhaps the In all fairness, it must be most important, objective of admitted that strong donor good governance should be to persuation has in the past led

overdue reforms. It is doubtful if in the absence of such persuation and exhortation, often backed by both carrots and sticks. whether reforms, for example, in the financial and banking sectors, energy sector management and trade regime etc. would have at all taken place. It is certainly a pity that we needed donor prescriptions for things we should have done on our own. It is still a greater pity that all these cre ated conditions under which we had to do other things on donor pressure that we should not have done.

on by now for the annu-

al spring ritual of the

Bangladesh Aid Group meeting

in Paris. Given the intensity of

Finance Minister may be at the

to quite a few beneficial and

However, such is the present state of governance in the country that any initiative from any quarter to do something

OTH Bangladesh and Vi-

etnam are making seri-

ous strides, with moves

towards "right" economic poli-

cies, in projecting themselves

as ripe places for foreign

investment. Notwithstanding

the realities, both are also

claiming themselves as

outside investors. In this race

for attracting more foreign

investments. Vietnam is

reported to be ahead by few

leaps and Bangladesh seems

lagging far behind. For exani-

ple, available statistics tend to

indicate that in Vietnam, dur-

ing the period 1988-1993,

500 companies signed up for

about eight billion dollars of

investment projects of which

two billion dollars are reported

to have already arrived. During

the same period of time,

Bangladesh is reported to be

committed by investments

amounting to 200 million dol-

lars. This, in fact, amounts to

70 million dollars actual, as-

suming that one-third of the

sanctioned amount goes for

realization. This march-fast of

Vietnam could be a fact of con-

cern but, at the same time, is a

source of valuable lessons for

Same Starting Points

appear to present similarities

on a number of grounds but

few of them could be cited

here for the sake of compari-

son. First, both deltaic Viet-

nam and Bangladesh are

among the poorest countries of

the world with a per capita in-

US\$220-230 per annum. Sec-

ond, rice dominates agricul-

tural scenario in both (share to

GDP is 36 per cent) and rice is

considered the staple food by

the peoples of both the coun-

tries. Third, in both

Bangladesh and Vietnam, a vast

population chases limited land

but cheeses a wide domestic

market. Fourth, once upon a

time, both tasted "socialism"

come ranging between

Bangladesh and Vietnam

Bangladesh.

emerging tigers" to allure

swer is "No". And he had enough authority, or could persuade someone with such authority, to dispense with it.

> Another example: Till about a year back, for a domestic power connection, fiftyseven signatures of various functionaries in the Power Development Board were necessary. It has now been reduced to seven. Interests of the PDB has not suffered in the least.

> > Why not systematise this

process and enlarge it to cover all government and semi-government agencies? Why not set up a body, perhaps in the Prime Minister's Office, consisting to full-time members with the mandate to scrutinise all forms and procedures involving all public transactions? This body should have the authority to give final decisions for deletion or modifications of all such forms and procedures. It would invite suggestions from the public and give hearing to the bureaucrats of the concerned agency (who in most cases could be expected to defend the status quo!). Action need not produce a beautifully bound "Final Report" containing recommendations" for further study and examination. Rather each decision would be implemented forthwith. A year or at most two should be enough to cover all sectors and agen-

This could be a good starting point. Still all those pur-

porting to be working for good governance - ministers, legislators, senior public servants and numerous experts of both the native and the exotic varieties - must realise that in the final analysis, good governance will call for much more than technical fixes. Redrafting the forms and procedures, redrawing the organisation charts, delayering and downswing the bureaucracy, introduction of technological innovations and all that will surely

be necessary. Yet any or all of

these, by themselves, can

never be sufficient. Good governance can be a reality only with a new culture at the very highest political level, both within the government as well as those expectang to be the government some day in future. These has to be a manifest and sincere commitment in place of the usual trite rhetorics and banal catch phrases. Good governance has to begin in the very minds of the political leaders of the nation; and those constituting the government of the day have to take the lead.

Unless the political masters call the right tune, servants of the Republic - both high and law - will continue to misstep. Precepts would not be enough: examples have to be set through everyday actions.

Perhaps the most appropriate action for the political office holders to begin with would be to dust off their

Vietnam lies at the heart of the

"matured" tigers where even

spill-overs could contribute

much to Vietnam's upraise. It

is being argued that many in-

vestors from those areas are

flocking to Vietnam as a re-

course to "beggar thy neigh-

bour policies. Bangladesh, on

copies of the constitution of the People's Republic of Bangladesh and open it at the Third Schedule. It contains the oaths of office every minister and every member of Parliament solemnly uttered when they were first inducted. into their offices.

"And that I will do right to all manner of people according to law, without fear or favour. affection or ill-will" - thus runs the oath pronounced by the Prime Minister, Ministers, Ministers of State and Deputy Ministers.

Every member of parlia ment solemnly swore as follows: "And that I will not allow my personal interest to influence the discharge of my duties as a member of parlia-

Battle for good governance will be more than half won if all these holders of the exalted offices of the nation remember the oath they have taken and remain steadfastly true to it. In that case they shall not only refrain selective and discriminatory application of laws. rules and regulations but also have the moral authority to sternly deal with any such action on the part of any public

They may be immensely helped in this process by voluntarily accepting - perhaps by enactment of appropriate lows - and practicing a code of conduct. Even most nature democracies find it necessary

to adopt such does of conduct to held avoid conflict between public responsibilities and private - both personal and political - interests.

In Britain, every MP and minister has to record his or her business and commercial interests in register open to the public; they have to declare any gift they accept including a weekend of hospitality from a businessman. Such registration or declaration is obligatory also in Germany and Italy. In France and Italy, ministers and MPs must declare all their incomes and other jobs. In France, all political office holders must. within a fortnight of their election, make a declaration listing and * their assets. Fire French MPs are not eligible even to hold certain 'listed jobs e.g. jobs in public enterprises or directorship in companies that

get government aid or subsidy As quid pro quo to such self-restraint, the elected pubhe representative and officeholders should enjoy generous emoluments and other facilities adequate to make them free of any necessary to supplement the same from other sources.

if the nation wants good governance, it should be willing to pay handsomely to all those who have to lead the process. Even for a poor counry like Bangladesh, it will be cheaper than the alternatives.

Second part tomorrow: 'More on Good Governance".

(The author is a retired bureaucrat, who was a member of the Advisory Council of the Interim Government of President Shahabuddin Ahmed).

Note: Vietnam Heralds a New Height

Let us remind a few things: reward the good and punish the bad, fight out corruption and embrace honesty, build up work ethics and discipline in activities. All of these cosy wishes to materialize, of course, need a good political leadership. . . We need to be born as a cub first and then emerge as a 'tiger'.

and "nationalization" but, eventually, alleged to be pasted by anarchy in economic management. Fifth, both Vietnam and Bangladesh tend to be gripped by "tortuous bureaucracy" and preponderantly administrative rigidities. Fifth, although both countries have port facilities, yet poor infrastructural provisions, in each of them hinder the flow of goods and services. And finally, political instability rings around in both the countries causing, perhaps, occasional jerks in economic performance. Different Outcomes It, thus, appears that Viet-

nam and Bangladesh started from more or less the same base but, as time passed by, Vietnam seems to have progressed at a much faster pace than Bangladesh could do. Let us look at the annual GDP growth rates. Between 1990/91-1993/94, Vietnam's GDP is said to have grown by 7 per cent or more as compared to less than 4 per cent of Bangladesh during the same period of time. The projection for 1994/95 and 1995/96, according to estimates of different sources is about 10 per cent for Vietnam and 6 per cent for Bangladesh. On the other hand, the per capita GDP growth rates, during the same period, are reported to be 5 and 3 per cent, respectively for Vietnam and Bangladesh and the projections are 7 per cent and little over 3 per cent,

respectively. What about other indicators? Look at gross investment/GDP ratio. From 14 per cent in 1988, the investment/GDP in 1993/94 reached about 20 per cent in Vietnam while the same in Bangladesh crawled from 12.4 to only about 13 per cent. At the end of the fiscal year 1995/96, Vietnam is likely to reach a ratio of 25 per cent as compared to about 15 per cent projected for Bangladesh during the same time. This is in the backdrop of a relatively more spending by the government. For example, during the period 1988-1993, the government expenditure as per cent of GDP averaged about

the other hand, is said to be neighboured by relatively poor economies with complemen tarity in production and hence a competitiveness in world market. Hardly any spill-over is likely to take place at least at

Beneath the Surface

by Abdul Bayes

one-fourth in Vietnam compared to 16-17 per cent in Bangladesh. Likewise import growth has been surging on average, by more than 20 per cent per annum in Vietnam as compared to less than 6 per cent in Bangladesh. However, Bangladesh seems to fare well in terms of inflation rate, budget deficit, export growth, external debt-outstanding etc.

Why the Difference?

What factors then haul the growth and investment in Vietnam — a country that, by and large, originated with same fate as Bangladesh? Researchers adduce a panoply of factors to be responsible for this difference. Quite obviously two of the factors should be dubbed as what many would relish to call "non-economic" factors. First, the location.

the moment. Second, the cultural factors. Vietnamese are said to have been endowed with the culture of the "matured" tigers wherein hard work, is the "ethics" of life. Third, French colonization and American involvement seem to have projected Vietnam more widely to the outside world than Bangladesh and finally. like Bangladesh, Vietnam does not seem to suffer from image problem to the outside world.

The differences, as discussed above, tell us only the small part of a long story. Researchers are seemingly trying to forestall the pervasively different economic factors contributing to the high growth of Vietnam and low growth in Bangladesh. First, comes the significant difference in labour productivity prevailing be-

tween the two countries. Although nominal labour cost is advertised to be lower in Bangladesh and hence places the clamour for more investments, labour productivity is alleged to be much lower. This low labour productivity is again adduced to low skill level, nutritional deficiency, frequent work interruptions etc. As a result, Bangladesh could hardly succeed in attracting foreign investors on this count. On the other hand, although nominal cost of labour is reported to be higher in Vietnam, labour productivity is higher (with literacy rate at 70 per cent) and as a result, real cost of labour is also said to be relatively lower in Vietnam. Second, despite higher inflation and rising government expenditure. Vietnam's competence over the years in overcoming economic and social crises is considered worth more foreign investments. The pace at which this 'war ravaged economy has pulled out of the wrecks might appear a credible consideration for foreign investors to in

Again, the long-term potentiality of Vietnam could become more important to investors than its short-term economic problems. Third, the reform programmes in Vietnam are argued to be more transparent, credible and at tractive than those of Bangladesh. Having the same tortuous bureaucracy, Vietnam is possibly heading fast for fine tuning its administrative ligs which Bangladesh is yet to match. Fourth, although started with poor infrastructure. Vietnam's growing gov-

indeed a serious points to

ponder over. Do we really re-

alise what would the city be

like by 5 to 10 years from

· now? By five years, there will

be no room for free movement.

People will be bumping and

I suppose the best solution

breathing on one and another.

is that a proper planning must

be taken up within the next

five years for Dhaka city's ad-

journing areas to share the

load of extra population. Places

like, Demra, Kanchpoor, Kuri

gram, Fatullah, Narsingdi and

Rupganj etč, has to be devel

oped into model towns, with

the top most priority for resi-

dential purpose by construct-

ing multi-storied flats/apart

ments and other types of

housing facilities with required

amenities. Shifting of some

branches of government and

other offices, banks, business

centres, school etc. to these

areas can also be thought of.

Allofment of lands to private

individuals should also be

encouraged. If things work out

well and the places are worth

living, it could eventually at-

tract many others to shift to

ernment investment in infrastructural facilities tend to crowd in more and more investments in the private sector. And finally, the educated as well as disciplined armoury of workforce of Vietnam has already won over the hearts of foreign direct investors who would like to consider Vietnam as today's cub but tomor-

Concluding Remarks

It, therefore, follows that Bangladesh, at the moment, is not running even as fast as Vietnam, not to speak of a "lavish" dream to run like South Korea or Taiwan. One could, possibly, signal out only the locational and cultural milieu as the arbiter of different tial growth and investments prevailing between these two countries. But, beneath the surface, a volley of economic and non-economic factors are also held responsible for the growing distance. Let us reposit that transparent and credible economic policies, higher investment in human and physical capital (coming through enhanced budgetary allocation and switching off unproductive expenditures) are the major determinants of higher investment and growth. Let us remind a few more things: reward the good and punish the bad, fight out corruption and embrace honesty, build up work ethics and discipline in activities. All of these cosy wishes to materialize, of course, need a good political leadership that Bangladesh still starves for. And so long we starve on this count we probably cease the right to clamour for higher economic growth. We need to be born as a cub first and then

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emerge as a 'tiger'.

A culture that is shaheed

Sir. My visit of the Shaheed Minar on the Ekushey eve shattered a long held notion I had had. In my mind I ardently believed that this night, along with Pahela Baishak, was the epitome of Bangalee culture and identity. On this day we are to remember the people who thought that their mother tongue mattered more to them than their mortal lives. This is the day I thought that we were supposed to be grateful of our heritage. This was the day that the nation could look into the insides of their collective heart and be proud of being a Bangalee. But to my dismay this was the day my foolish sentiments were broken!

What hit me first was that the sweet melody of Rabindra Sangeet or the rebellious tone of Nazrul Geeti were missing. Instead it was replaced by the mindless blabbering of Bangla rap and the screeching of 'heavy metal' that thronged the air. At least I thought that as this was a crowd of mostly students; it was understandable that they had a passion for more 'youthful' renderings of the popular artists of today.

It was also understandable that the kurta had given way to jeans and T-shirts depicting the Iron Maiden mascot Eddie. And even the long long hair that the men wore seemed

pardonable. But what did not were the rows and rows of little shops that had pin-ups of Indian actresses like Raveena, Mamta and Tabu in outfits that would have pleased the misers among us. In these shops Shahrukh and Sanjay (Indian film-stars) fought for prominence while Sheikh Mujib had to be content with being relegated to the back. As I went on more and more was I shocked. Pencil sketches of the voluptuous females which was good enough to feature in Hefner's periodicals were being displayed as if it was a very normal thing. I wondered if the

* As I looked closer at the stalls opposite Bangla Academy, the books that were exhibited were not the tales of literature that we are proud of, but rather endless pages of trash pulp fictions. The story of the conquest of the neighbour's wife seemed to occupy more interest than the conquest of the Pakistani forces. The price of newsprint is too high they say!

prospective admirers had the

audacity to buy one?

In course of our walk what most surprised me was a band (be it small) of youth sitting under the romantic night sky and guzzling away from cans of imported Heineken beer. This too in the month of Ramadan! Oh how naive of me not to have understood the phrase "the spirit of the revolution"!

Last, but the most upsetting, was the graffiti painting next to the wall of the National Museum that showed what would have been a lady in all her inmodest glory if the back of the man on top of her had not covered it!

During our journey towards the Minar we jostled for space with numerous processions of hardly five or ten youths rallying behind black banners that declared their affiliations to some cultural following or another. Did these envoys of our culture not witness the obvious invasion of our legacy?

Well why only them thought. Did I not drive up with 'UB40' blaring from the stereo in my car? Was I not the one who turned my television on to 'Zee' every evening? Am I not the one who watch Forest Gump and not Ekatturer Jishu?

Who was at fault here? Who is to blame? Are they the youth I came across that night? Is it Mr Murdoch for barraging us with hours of American culture? Is it us, a nation, who do not give much importance to our rich heritage that we take for granted? Or am I to be blamed also for just walking away when I saw what I did that night?

I wish I had a solution to stop us from bankrupting a véry essential national asset But I do not! All I know is that in my college we believed that the actions and the values of

today's students will be the actions and the values of tomorrow's nation. If that is so, we are heading for a very bleak future. What a shame!

Nazim Farhan Choudhury ADCOMM Ltd Satmasjid Road Dhanmondi, Dhaka

Dhaka city

Sir, The population in Dhaka city is increasing day by day. It has almost reached to its full capacity. Being the only recognised big city, it has no choice but take to the continuous infiltration.

With people flooding from far flunged places, making the city more and more populated and polluted as well! It appears that the city has even become more polluted recently. One might feel the need of face mask. This is the right time for some one to make protective face masks. It is bound to sell like hot cake! There has already been many write up and suggestions to improve the situation, especially the city traffic, but nothing worked out or probably no one is bothered. There may be some bindings and question of time requirement but the authority concerned should at least put efforts to check the black smoke emitting from faulty cars. I am sure they are aware of its inju-

rious consequences.

these places.

Dhaka

A remedy for the traffic chaos

Khawja Viqar Moinuddin

Sir. With a view to over coming and minimising traffic The city needs help. It is jams in the city we have re

peatedly suggested that at least two bits routes i) Zia International Airport Gulistan and ii) Gabtali-Syedabad should be kept free from the following predicaments:

a) Holding of bazar/market by the vendors and hawkers. b) Holding of public meet ings by the political parties.

c) Parking of vehicles by any one for more than one minute. In this connection, it may be mentioned here that the hawkers and vendors may use any public road for holding floating market/bazar mear to

bus route but not the public roads meant for the bus route. Similarly, the public leaders may use any public road near the bus route for holding pubhe meetings but not the public

roads meant for bus route. And accordingly, parking of all types of vehicles for more than one minute may be made

on roads other than bus routes We wonder why Dhaka City Corporation and Dhaka Metropolitan Police are reportedly blaming each other for negligence of duties and non-cooperation and shedding

crocodile tears on this issue? Would DCC and DMP kindly do something constructive at an early date without causing further sufferings to the city

Druker

O H Kabu

people"