

Citizen's Charter: An Utopian Dream for Bangladesh?

Surrounded on all sides by a ill-trained, inefficient, corrupt and often decrepit administrative system, the western standards of public service may appear like an utopia — a fairy tale to most people.

Speaker's Decision?

What the Speaker tried to avoid couple of months ago, he will have to accept today, or in the next few days — namely that 147 seats of the current parliament have become vacant. When he rejected the resignation of the opposition Members of Parliament, he probably hoped that the time so gained will be put to good use by the Treasury and the Opposition benches to find a solution to the knotty political and Constitutional problems that the country faced. His rejection of the opposition's resignation did not certainly endear him to the latter group, and in fact made him somewhat of a controversial figure. Many felt that he had taken on a lot of discretionary power into his own hands and that he was setting dangerous precedents. But all of it would have been worth it, had his unconventional move actually helped in producing a positive outcome. But that was not to be. Nobody took advantage of the opportunity provided by the Speaker's decision, especially the ruling party. For, by resigning, the Opposition had literally given up on the present parliament. So if there were to be any infusion of life into the House, it could have only come from the ruling party. And we think it should have.

As one can gauge from what the Speaker has so far said on various occasions, on the question of continuous absence for 90 days, he will only inform the House, and the decision will be automatic. This means that all the opposition seats will become vacant. So what was to be faced immediately after the en mass resignation on December 28 last, will have to be faced now.

If we are to go by the repeated statements of the ruling party, that law will follow its course, then we are to conclude that BNP will go for by-election. However, it is well understood that it will only be a ploy to gain time. The expectation is that when 90 days will be near completion, the ruling party will go for general elections.

Whatever is the subsequent outcome, Speaker will have to pronounce himself today, or within a day or two, on the issue of the absence of the Opposition MPs. Our suggestion is that he should not delay his decision any further. Already questions have been raised about his permitting a sort of debate on the subject, which has been extensively covered in the press. The decision will at least close one chapter of our current political controversy, and perhaps will help us to focus on the rest of the mess. What an option!

Major's Emphatic Move

John Major has delivered several messages to a broad audience by the single act of putting to rest his leadership in the ruling Conservative Party. This will either confirm or unseat him as the British Prime Minister. The next general election is due in two-years' time.

The first signal he is sending out to his increasing number of critics is that he is ready to stand down as the country's prime minister. Well, he could have waited until November for the crucial test of his leadership as per the Conservative Party's rules. By advancing the showdown within the party by nearly five months and subjecting him to the risk of losing the primeministership well before the due time he has exemplified a sense of personal dignity, an anxiety for setting the conservative house in order and a respect for the norms of democracy. John Major hasn't said like many others do that he would not quit until the term for which he was elected ended.

Yes, pragmatically speaking, it was the best of bad options for John Major to take; but this hardly detracts from the high sense of democratic probity he reflects otherwise. His fast dwindling popularity rating, the sharp division in the Conservative Party along the lines of Euroskeptics and Europhiles, the previous threats of a leadership election in the party and Margaret Thatcher's latest salvos at him in her book "Path to Power" led John Major to take the calculated risk.

If John Major should be ahead of his nearest rival by 15 per cent in the first round of ballot on July 4 it would give him an outright win. The second round of contest, scheduled for July 11, would not then be held.

If, however, it comes to the second round, some big names may emerge as challengers: Trade Secretary Michael Heseltine on the left of the party who was instrumental in bringing Thatcher's downfall and Ex-Chancellor of Exchequer Norman Lamont who was fired by Major in the fall-out of the pound's ejection from the ERM. Anti-European rightist Employment Secretary in the Major Cabinet Michael Portillo may be the youngest contender.

John Major is to face challenge to his leadership both from Euroskeptics and Europhiles.

Our Senior Citizens

Geriatric research has shown that men and women retain their creative faculties upto 68 years of age. Furthermore, re-employed retirees on lighter engagements than they were assigned for in the prime of their lives perform as well as do the younger people. We are keeping out the exceptional late bloomers who walk like colossi across a wider creative canvas of the world.

The point here is simply this: the old people need something worthwhile to do rather than be dismissed as redundant folks. But then they must be physically and emotionally helped to keep fit enough to deliver valuable services to society. We would like to call and redefine them as potential asset waiting to be harnessed again. First of all they need to be given company and sustained attention. To be practical, the government cannot immediately launch a social security scheme of the type one sees operating in the West. Nor are we looking for old age homes to spring up by a magic wand, except perhaps some for the hopeless destitutes who are not owned by anyone.

Instead the emphasis should be on their living with their kith and kin. This is broadly in keeping with our value system; even so, some financial assistance from the government would ease the burden of those willing to look after their elders. The largest number of old people can thus be brought under the canopy of social care. Then they be deserve to be provided with concessional medical treatment and transport facilities.

Let us accord the status of Senior Citizen to them. Other things will automatically follow.

In an article in this column last month on people's rights, I promised to write in greater detail about the imaginative British initiative for a Citizen's Charter. I was encouraged by many queries from enthusiastic readers about my promised article. Given the deplorable situation prevailing in Bangladesh today one might get some consolation from the thought that our current plight is partly due to the legacy left behind by the colonialists of a command-oriented rather than accountable and responsive government.

At home, however, the former colonialists have not permitted any erosion of their own citizen's rights; in fact, the authorities in the UK are busy in modernizing, upgrading and generally raising the standard of service offered by the government. Prime Minister John Major has launched the Citizen's Charter Programme to improve the quality of service provided by the government and its various agencies and institutions to the people, and to enhance the accountability of public authorities.

As heirs to the historic Magna Carta the British people are certainly mindful about their rights and responsibilities and vigilant about the attempted encroachments by the state into private activities. Elsewhere, the United States government recently undertook a comprehensive review of the efficiency, quality and cost-effectiveness of the services rendered by the federal government.

Initiated with the blessing of President Clinton, the review was carried out by a blue-ribbon commission under the leadership of Vice-President Al Gore. The report, entitled, "Creating government that works better

and costs less" is now available in the American Cultural Centre Library in Dhaka. The point that I want to emphasize is that even the most advanced nations feel the need for periodic reviews of the efficiency of operations of their public authorities.

I can almost see the cynical smiles on the faces of my wise readers. The American and British effort to raise the standard of their public service is so far removed from the grim realities of life in Bangladesh that one is tempted to regard these exercises as not even relevant to our situation. Surrounded on all sides by a ill-trained, inefficient, corrupt and often decrepit administrative system, the western standards of public service may appear like an utopia — a fairy tale to most people.

What is equally disheartening is the fact that our political leadership has failed to arrest the steady decline in the standard and quality of service that the people get from the government and its various agencies. In fact, they have themselves, it is widely believed, contributed to the erosion of standards and values. Against this rather somber background it may be interesting and even useful to take a close look at the UK Citizen's Charter.

There are four main themes to the Charter strategy which was launched in July 1991 with the aim of raising the standard of public services by making them more responsive to the wishes and needs of the citizens. The Charter is based on the recognition that all public services are paid for by individual citizens, either directly or through their taxes. Citizens are entitled to expect

high quality services provided efficiently at reasonable cost. Where the state is engaged in regulating, taxing or administering justice, these functions must also be carried out fairly, effectively and courteously. The four main themes of the Charter are: CHOICE: Choice, wherever possible between competing providers, is the best spur to quality improvement.

plain language about how public services are run, what they cost, how well they perform and who is in charge. CHOICE AND CONSULTATION: The public sector should provide choice wherever practicable. There should be regular and systematic consultation with those who use services. COURTESY AND HELPFULNESS: Courtesy and helpful service from public servants who will normally wear name badges. PUTTING THINGS

have in Bangladesh today. Surprisingly however our Constitution, upon scrutiny, reads like a most enlightened charter of the citizen's rights. For example, Part III on fundamental rights is by any standard most advanced in terms of concepts and language. However, are we implementing this noble document with commitment to these high ideals and principles? Article 43 guarantees every citizen, subject to certain broad safeguards, "to be secured in his home against entry, search and seizure." I recall an incident, reported in the press only a couple of weeks ago, in which a lady, a school teacher, was arrested at her home in the middle of the night and taken to the police station. It was a strange case in as much as the arrest warrant itself was fraudulent but the significant point is the conduct of the police officer who violated a specific provision of the Constitution in entering a home at night without lawful authority. Section (b) of Article 43 guarantees the right of every citizen "to the privacy of his correspondence and other means of communication." Yet we all know that the telephones of political opponents of the government are regularly tapped and letters are often opened and censored.

Who can protect the poor citizen against the powers of the mighty State? Again, our Constitution has very wisely provided in article 77 an Ombudsman to whom citizens may take their complaints. If appointed, the Ombudsman will have the power to "investigate any action taken by a Ministry, a public officer or a statutory public authority." It is a matter of profound re-

gret that though we are approaching the 25th anniversary of independence, this very key provision of the constitution remains unimplemented. As a result, a citizen has no opportunity even to complain against an action by a Ministry or a public official because the Ministry itself will be the judge, jury and defendant. If a person is aggrieved at the action of a public official such as the DC of the district or the OC of the police station, it will be dangerous to lodge a complaint against them. One cannot quarrel with the crocodile, as the Bengali proverb goes, while living in water! Of course he can go to the court but how many can afford costly litigation against the government? A poor man has little chance to win against the state.

Let us take, for instance, the principle of "value for money". Do we get value for money when we go to a court? A case may remain undecided for years without anybody getting concerned about the delay. Who does not know that "justice delayed is justice denied"? or, take the case of utilities such as telephones, power, water or municipal services. There is no relation between payment and service. Indeed most of the officials in these utilities will be surprised if told about such a co-relation between service and payment.

The picture, in short, is certainly not pretty but we must make a start at some point. Instead of sliding downhill we must try to take some steps, even small steps, towards the goal of a society which is truly democratic, where the government is genuinely accountable to the people and where a standard of service will be maintained and where the people will get value for their money. Is it too distant an utopia?

ON THE RECORD

by Shah A M S Kibria



STANDARDS: The citizen must be told what service standards are and what he or she can do if those standards are not met.

VALUE: The citizen is also a taxpayer, public services must give value for money within the resources the nation can afford.

The Charter sets out a number of key principles, which will be applied in the day-to-day management and operations of the public authorities. Accordingly, every citizen is entitled to expect:

STANDARDS: Setting, monitoring and publication of explicit standards for the services that individual users can reasonably expect. Publication of actual performance against these standards.

INFORMATION AND OPENNESS: Full, accurate information readily available in

RIGHT: If things go wrong, an apology, a full explanation and a swift and effective remedy. Well publicized and easy to use complaints procedures with independent review wherever possible.

VALUE FOR MONEY: Efficient and economical delivery of public services within the resources the nation can afford.

The British, as most of us know from long association, are a very practical people. They not only formulated these abstract principles but also adopted practical measures to implement them in the day to day business of the government. A cabinet minister was assigned the task of carrying the programme forward. Admittedly the goals of the British Citizen's Charter are a far cry from what we

When shall Bangladesh Have an Ombudsman?

It is high time they all got together and mobilised public opinion on this issue. At the same time, they can also pressurise the major political parties to include immediate introduction of the Ombudsman system in the country in their election manifesto.

we shall have no excuse for not having an Ombudsman in Bangladesh.

Since the overall atmosphere is charged with factional politics, I suggest that the first Ombudsman should be a Supreme Court Judge, although theoretically, he/she could be from any other profession. However, besides being committed, knowledgeable and politically neutral, he should also have the ability to build up an institution from scratch. Most importantly, he must enjoy the confidence of the entire Parliament, and in selecting him or her, the PM should consult the Leader of the Opposition.

In introducing the Ombudsman system a number of issues will have to be clarified. Firstly, should the scope of the Ombudsman be limited to advising citizens, i.e. to society-government mediation in order to find a way round government, or should he deal with public complaints or both. If we opt for the latter, it is necessary to keep a few subjects out of the purview of the Ombudsman,

namely, investigation of crime, court matters and certain government bodies such as defence services, central bank and those which have well recognised complaint procedures. In other words, public complaints to be dealt by the Ombudsman should be generally those concerning in-

sonally. In case of business firms, NGOs, societies or similar groups, these must affect the specific interests of the particular body or its members. My submission in this regard is that the Ombudsman system should be started as soon as possible, perhaps on a small scale to begin with, and

budsman and the Speaker of the National Assembly. However, the practice of vetting may be discontinued after a time limit of five years.

Thirdly, the size and powers of the Ombudsman office will have to be specified so that it can function effectively and without opening a Pandora's box. The Ombudsman must be provided with adequate staff support and a decentralized organisational structure. The staff should be drawn mostly from the surplus that government already has, rather than through fresh recruitment. The Ombudsman must have access to government files and papers. On the other hand, the Office of the Ombudsman must carefully protect the confidentiality of the information it receives and must not answer inquiries from the press or members of the public about particular cases. The reports published by the Ombudsman must maintain anonymity. In almost all cases, the government departments or concerned public bodies must readily abide by the Om-

budsman's decision, but the Ombudsman must give the organisation/official in question an adequate hearing.

I am afraid, nothing good happens in Bangladesh unless one pushes hard. In this country, people had to shed blood for their language, independence and democracy. I am not suggesting that bloodshed is required before we can have an Ombudsman in Bangladesh but not doubt a lot of organised shouting, lobbying and campaigning is called for. There are a number of citizens' rights groups in this country. There are also numerous organisations championing the cause of the poor and the disadvantaged who are the daily victims of the bad administration we discussed earlier. Then there is a print media in this country, with an impeccable record of highlighting public grievances.

It is high time they all got together and mobilised public opinion on this issue. At the same time, they can also pressurise the major political parties to include immediate introduction of the Ombudsman system in the country in their election manifesto. Given that the general elections are now round the corner, I suggest that this pressure tactics is likely to succeed. So, let us strike the iron while it is really hot.

Making Government Work

by Analyst

Justices suffered through bad administration in the hands of Ministries/Departments and public bodies. Bad administration may be in the form of serious delay, bias or discrimination, failure to give proper advice, discourtesy or harassment, failing to follow correct procedures, mistakes in handling claims, etc. Thus, the Ombudsman will look into these grievances provided the actions giving rise to these grievances are of an administrative nature. Here action must affect one per-

sonally. In case of business firms, NGOs, societies or similar groups, these must affect the specific interests of the particular body or its members. My submission in this regard is that the Ombudsman system should be started as soon as possible, perhaps on a small scale to begin with, and

budsman and the Speaker of the National Assembly. However, the practice of vetting may be discontinued after a time limit of five years.

To the Editor...

Letters for publication in these columns should be addressed to the Editor and legibly written or typed with double space. For reasons of space, short letters are preferred, and all are subject to editing and cuts. Pseudonyms are accepted. However, all communications must bear the writer's real name, signature and address.

History continues

Sir, Russian assault on Chechnya may be an addition to what is underway in Bosnia, Kashmir, Sri Lanka, Palestine, Northern Ireland, and so forth.

Apparently a process of domineering exercise over an antagonist ethnic habitation by a sovereign with or without legitimate jurisdiction has been repeating the history of struggle for power or for survival.

Communal conflicts led to the birth of many states through the ages and riots are still occurring in this space age as always ever since the first preaching of an ideology.

Even class or racial segregation, cultural confrontation, and petty personality clash often culminate in what is simply regrettable by all counts.

Up against all atrocities inherited from barbaric precedences updated by Nazi-Fascist-Zionist.

Apartheid designs had always been a few visionary humans with missionary spirit who fought allout for what is known to be just.

As per UN Human Rights Declaration, persecution is condemnable because of what can be interpreted as savage acts.

The recurring events over

the centuries have obviously been turning into traditional practices of anti-humanity that can change for the worse sooner than assumed, and hence, civilized conscience should find a way to stop such a legacy from continuing into the next generation.

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Long-term plan and budget

Sir, The economic development of any country largely depends upon the long-term planning. Many countries also draw a perspective and master plan to go ahead with development programme. No development programme can be achieved without a targeted goal. The budget 1995-96 which has been announced on June 15, 1995, will not be a year of planning excepting the ADP. The budgetary expenditure should always pass through the planning year. The size of long-term plans will be gradually reduced to the yearly budget expenditure. But I don't understand why this thing has been ignored. We are talking about the planning from grassroots level.

"Architecture sans Humanity"

Sir, Since I've been reading "The Daily Star" from its first issue, I should by now be used to the sudden shocks that your paper sometimes subjects its readers to. However it is inexcusably to print discourteously critical articles such as "Architecture sans Humanity," by Mr. Abdul Hannan (June 16), where the opening statement is wrong.

The joggled jargon of words from Webster's does not merit a lengthy discussion, while at least it is expected that the writer be as conversant with the subject matter, as he appears to be with the language of his grossly generalised and exaggerated comments.

Bengalee Muslim ICS and IPS officers

Sir, We are thankful to Absana Begum for her letter published in The Daily Star on June 14 informing us, in considerable details, about Bengalee Muslim ICS and IPS officers. She is right in telling us that Akhtaruzzaman, born in Vikrampur, was the only Bengalee Muslim who joined the Indian Civil Service through competition. T I M Nuran Nabi Choudhury, K G Morshed and Mujibur Rahman who were nominated to the Indian Civil Service were of course no lesser persons. They all were outstanding in their own spheres. This has been clearly explained in Absana Begum's letter which was further endorsed by S R Ghuznavi (DS letter published on June 18). These letters have made me turn to the bygone days wherein some IPS officers in addition to the list provided by Absana Begum figured prominently.

The names worth recollecting are Abul Hasnat, Zakir Hussain, A H M S Doha, Kazi Anwarul Haq, Hafizuddin

Ahmed and K M Kaiser. I put the names rather randomly and not seniority-wise.

Abul Hasnat, an IPS officer, distinguished himself by writing a book on sex education, which earned him considerable applause. His book "Jouna Bigyan" is perhaps the first book ever written in Bengali on sex education. Zakir Hussain, by my knowledge, was the first IPS officer to become a Governor of the then East Pakistan. Kazi Anwarul Haq, another IPS officer, was probably the first Bengalee Chief Secretary of erstwhile East Pakistan. M S Doha and Hafizuddin Ahmed both became ministers in the central cabinet of Pakistan. K M Kaiser, one of the youngest of the IPS officers, was inducted into the foreign service of Pakistan.

For a long time he was posted in Peking as Pakistan's ambassador. After independence of Bangladesh, he opted for Bangladesh and was Bangladesh's permanent representative to the United Nations.

While thanking Absana Begum once again for her very illuminating letter, I beg to be excused if I have committed any mistakes in my presentation of the personalia of the old guards.

G.A.Momin
Dhaka

Education Week '95

Sir, We appreciate Prof. Roushan Ara Hoque for her article "More Efforts Needed to Achieve a Higher Literacy Rate" on the occasion of National Primary Education Week '95 in your paper of

07th instant. In addition to her suggestions, we like to offer the following for consideration of the higher authorities:—

(1) In villages, mosque, maktab, mandir (temples) etc should also be selected in addition to primary schools as venues. Because, in every village, first education starts in Arabic (maktab) on religious grounds. So, the teacher (maulvi) there may take the initiative to teach Bengali with Arabic in the morning. Thus, the foundation of primary education will start from the grassroots level.

(2) Primary schools should be well equipped with adequate number of good teachers and gradually upgraded to class X in the same free education system.

(3) High schools should be upgraded to class XII.

(4) Colleges should be allowed and made competent to impart teaching upto post-graduate level in every branch.

(5) Universities may teach special subjects, conduct research, and deal with other important matters.

(6) Education Boards, then, may be abolished including the office of the controller of examinations of universities, and certificates may be issued by the respective institutions themselves. As a result chance for any corruptions in the education systems will also be eliminated.

Such steps, I feel, will help raise our percentage of literacy soon.

M.Ah
Rajshahi