

Telecom Imperatives

What the World Bank has said amounts to a warning — unless we move fast with legal and policy reforms in the telecom sector, potential investors are going to lose patience and give up on us.

When the world is fast getting on to the information superhighway, we can neither meet our demand for an increasing domestic communication nor match the flow of international information coming our way with an obsolete communication infrastructure.

We are yet to realize how a modern and efficient telecom system can impact positively on our agriculture, trades and all other aspects of economy. There is indeed no point in being protective regarding an establishment like the telecommunication board.

BB Directives

When official directives sound the toughest, one has grown to believe, in our peculiar circumstances, that it is the difficulty of the problem which is being re-stated with perhaps not much of a hope nursed for its solution.

Why do we pin our hopes on the re-phrased set of BB rules when this may have been largely a repetition of the existing central bank instructions galore on the subject? The reason is simple, and highly convincing too: the new government seems prepared to pull its full political weight behind the fresh moves by the Bangladesh Bank to subject all lending operations of the scheduled banks, past and future, to a rigorous accountability scrutiny or exercise.

The ruling party begins on a clean slate and as it has vowed not to politicise bank lending in the future it is all on the credit side for it. It stands committed to a non-patronisation through the instrumentality of bank loans by pointing an accusing finger to a spurt of 20 per cent in the credit supply in the terminal year of the previous government.

Holding quarterly review meetings and periodically reporting on the status of loan realisation to the central bank will be important procedural steps but most effective in regard to overdue credits will be legal actions against the defaulters. As for fresh sanction of loans checking on project implementation schedule, technical expertise of investors and marketing potential for products would be useful in minimising risks.

A Treasure-Trove

The many-splendoured life of the late lamented illustrious painter SM Sultan was commemorated with a new accent yesterday on the occasion of his 72nd birth anniversary. Government institutions have seldom evinced an active interest in what our creative people did, but this time round the Shilpakala Academy has marked a departure from the past by publishing the SM Sultan Commemorative Book.

We think there is ample room left yet for popularising Sultan's works not merely in the domain of painting which alone had made him into a celebrity equally at home and abroad, but also in the arena of grooming children up as artists with an abiding sense of beauty and a deep love for nature.

He lived and worked close to the nature — his delectable rural surroundings. He ranked as one of the foremost artistic genius of his times anchored in the soil and humanists to the core. He tried to institutionalise his beliefs with the Kurigram Fine Arts, Institute in Narail, established in 1969, and another fine arts institute Charupith in Jessore as the living monuments to this trait of his.

We pay our deepest respects to his memory and the celebrative aspect of his birth anniversary will be truly fulfilled if we keep presenting the full range of his works to our people.

Middle-East Peace Process — the Netanyahu Factor

THE recent Israeli elections which brought Ben Yamin Netanyahu the leader of the Likud to power continues to make waves in the Middle East. The Middle East Peace Process engineered by the sole Superpower USA, feels the jolt. Does it prestage the derailment of the Peace Process? Certainly not.

The current phase of the Peace Process started in Madrid a few years ago, received a decisive boost in Oslo and culminated in the now famous handshake between Chairman Yassir Arafat of PLO and Prime Minister Yitzhak Rabin of Israel. As Rabin standing between President Bill Clinton of the USA and Chairman Arafat, the Palestinian leader, gave a halting hand to Arafat, egged on by Clinton, Arafat had no hesitation to hold the hand.

The Peace Accord between the PLO and Israel rang down the curtain on warfare of half a century. Those who have followed the events of the Middle East since the end of the First World War and more particularly the Second World War, know that the heart and soul of the Middle East problem has been the fate of the Palestinian people, rendered homeless by the birth of Israel in 1948. Receiving unconditional support from the West and particularly the USA, in whose eyes Israel could do no wrong, Israel propagated and believed in her invincibility.

The Ramadan War of 1973 totally transformed the picture. As moonlight played tantalizingly on the Suez, Egyptian troops crossed the Canal and in a lightning strike took for the first time Israeli forces by total surprise. The Israeli forces were retreating at full speed. The arrival of massive US military aid saved the day for Israel. Near Cairo the Egyptians have established a museum which makes you relive the Ramadan War, with the sound and fury and the successes of the Egyptian army.

The reverses suffered by the Israelis brought them to the negotiating table for serious discussion about peace. I was Ambassador of Bangladesh in Cairo when Camp David Accord was signed between Egypt and Israel. It was Land for Peace. Egypt reestablished her sovereignty over the entire territory conquered by Israel in 1967. In return Egypt recognized Israel and the two countries exchanged Embassies.

The second part of the Accord namely normalization of relations between the PLO of Chairman Yassir Arafat and Israel did not get off the ground after a few feeble attempts. President Anwar Sadat of Egypt was deeply disappointed and he vented his anger to me against Begin, when I was saying god-bye to Sadat.

The UN had been deeply engaged for long in trying to find a solution to the Middle East conflict. Numerous Conferences and Resolutions failed to find a solution. It was the collapse of the Soviet Union nearly five years ago that a qualitative change took place in the situation. The US emerged as the sole superpower and in order to play the role of honest broker she had to shed her earlier stand of automatic support to Israel and hostility towards the Arabs. In other words she had to appear more even handed than before.

The basis of Camp David between Egypt and Israel was land for peace. Through decades of war and hostility it has become clear to all concerned that this is the only viable option in the Middle-East. It is this principle that has been applied between the Palestinians and Israel. They have pledged to bury the hatchet.

The difference in the present case is that a step by step approach has been envisaged whereby Palestine will progressively move from Autonomy to Statehood. The situation is complicated by the Israeli settlements on Palestine territory and Palestinian dependence on access to Israel for their livelihood.

The arrival of Netanyahu on the scene, accompanied by mighty sounding propaganda drums which tried to portray him a hawk compared to his predecessor, has clouded the atmosphere somewhat but no more. The Peace Process has been on course for many years now and is irreversible. Netanyahu, although victorious in the last election, has a paper thin majority. He carried his campaign to Washington, where he received as usual a friendly welcome at the Congress and less than enthusiastic response from the Executive branch of the Government.

If Ben Yamin Netanyahu thinks that in an election year of the US, when the country tilts noticeably towards the Jewish voters, he could wrest advantages at the expense of the Arabs, he would grossly miscalculate. Since the signing of the Peace Accord between Palestine and Israel, contacts between the top echelon of leaders of Palestine starting with Arafat and the Israelis beginning with their Head of Government have gone on multiplying to a point that it ceased to make news. Netanyahu's attempts to play coy with his meetings with Arafat, does not look serious. By playing to the gallery Netanyahu may be winning some settlers on his side but in reality is putting a brake on the Peace Process, vital for Israel as much as for Arabs.

If Jewish lobby is important for any US Presidential candidate in the year 1996, raison d'etat overrides such transient considerations. The US, which is busy fashioning the world according to her national interest, launched the Peace Process after due deliberation. The late of Ben Yamin Netanyahu will count for little in that calculation.

The writer is publicity secretary of Jatiya Party and an external law student of the University of London.

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The Horizon This Week

Arshad-uz Zaman



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Creating a Senior Executive Service

by Kazi M Aminul Islam

The merit and quality alone should be the fundamental criteria for membership of the service. The selection must be made from among the members of the civil service and based solely on the results of the competitive tests to be conducted by the PSC.

ONE of the issues the previous government tried to resolve was the long overdue case of promotion for the civil servants. Unfortunately, the matter was handled very badly. A few senior civil servants and a politician was involved in the process; but it was so faulty that the government failed to defend its decision and lost a battle against simple writ petitions filed by a few aggrieved persons.

Who are to be blamed for the mess? Invariably, it is the political masters who are supposed to be at the helm of affairs. Nonetheless, the role of civil servants was equally significant. It was their solemn duty to resist government when the appropriate way of doing certain things were apprehended the bureaucracy is not on record having done that.

The failure of the body responsible for the case of promotion was clearly suggested when the then State Minister for Establishment was held responsible and asked to resign — a rare event in that government. Thus, what was already tacitly recognised by the government had also been established by the Court of Law.

The initiative taken for settling the case of promotion was undoubtedly commendable. But the means were not appropriate. So they failed to justify even the genuine ends. The previous government thought that the matter was over; but with the court ruling, the issue was back again.

The court had declared the mass promotion void. The previous government cared little for court decision. They failed to give effect to the court decree which the present government cannot and must not. They have to go for full-scale reforms in order to make sure that the government in place is one that works.

In fact, the situation in the civil service is so desperate that it has to be faced — and faced squarely — and right now. Even though there are many bright officers in the civil service, it has been alleged that the quality of services both in the field and the Secretariat has witnessed a sharp decline since Liberation. This among other things, has crippled the governments, tarnished their image and constrained the capability of the system to properly implement the policies and programmes of any government.

In countries with successful experience of transition to development and prosperity like Hong Kong, Korea, Singapore and Malaysia, we find a crucial role played uniformly by the civil servants as facilitators who are characterised by positive attitude, merit, efficiency and accountability. In our country we have a civil service system with serious problems. The efficiency of public service has been questioned in many quarters including the donor community, politicians and the senior members of the civil services. Even with efficiency at its rock bottom, there exists very little accountability. However, these were not to tally unexpected. Because a system which does not have transparency and accountability for the politicians cannot have the same for the bureaucrats.

The way out of this situation is a comprehensive administrative reform programme. The need for reforms is recognized by all, but some people take a parochial view which fails to address the key issues. What is lost sight of is the fact that the fundamental problems of public services in Bangladesh lie in the areas of quality, efficiency and accountability.

It is not difficult to design a package of solution to these problems. Under that scheme a few steps have to be taken. Firstly, a small number of high-quality officers are to be recruited by an impartial Public Service Commission (PSC) through a comprehensive competitive written and viva voce examinations and psychological tests. Secondly, the recruits are to report first to the Civil Officers' Training Academy for a series of rigorous training programmes. Thirdly, the Foundation Training offered has to be re-designed with appropriate inputs for democratic governance and be followed by a "Passing out" test conducted by the PSC and finally there has to be a provision for "Senior Executive Service (SES)" Pool covering the key positions of home and foreign services. Entry to the Pool is to be based on quality, efficiency and merit to be determined by the PSC alone.

Similar system had been in place in our country for some time, but unfortunately it could not be sustained; the subsequent regimes did away with the system. Meanwhile, high quality officers have been recruited with single rigorous tests, but not a single examination was held for Senior Services Pool (SSP) which was similar to the proposed SES. At last the Pool met its natural death and it was abolished by a previous regime.

There has also been many assaults on the civil services. The constitutional roles of the PSC which was crucial for legitimacy of many of the governmental actions was ignored. Sometimes the PSC was used as a rubber stamp. At present, the biggest problem of PSC is that its impartiality and credibility are being questioned: certain quarters in the PSC has been alleged to be involved in corruption scandal.

The newly-elected government has to take steps for at least partially solving the problems piled up in civil services. To do so, the government has to give serious thought for creation of an SES to be based on merit and merit alone. This will create a core group of sincere, dedicated, hard-working and high-performing civil servants like those in Malaysian Civil Service or Indian Administration Service. However, to make this commendable initiative a success we better learn from the experiences of our failure in the past, especially the mistakes committed concerning the SSP.

It is known to all of us that inherent in the design of the Pool were a number of serious flaws which had never been rectified. Firstly, a section officer who do not stand the test of merit should have been outside the Pool. But they were admitted into the Pool not through any test but automatically by an executive order. Secondly, the principle of merit and efficiency as the criteria for selection was virtually discarded. Thirdly, the PSC

was never allowed to play its role in formation of the pool, entry examination and promotion of the pool members. Finally, the concept of the pool failed to address the diverse situation and varying promotion prospects in different cadres.

If the current thoughts on the SES underscores the need for a clean, efficient and accountable civil service, a number of things have to be taken into consideration. Firstly, the government should, on principle, be small but highly efficient. So, the membership of the SES — a cadre in itself — should be limited to the bright and brilliant few as it is found in some countries like Singapore, Malaysia and India.

Malaysian civil service may be a good example for Bangladesh. In Malaysia, the government could activate its public sector and energise the private sector for its journey on the highway of development and prosperity.

The merit and quality alone should be the fundamental criteria for membership of the service. The selection must be made from among the members of the civil service and based solely on the results of the competitive tests to be conducted by the PSC. However, in order to infuse new blood into the system there shall be certain percentage of posts to be filled in by the prime minister.

Secondly, the design and constitution of the Service should be guided solely by rule and not by discretion. Otherwise, the vested interests will invariably try (as they did before) to take undue advantage and vitiate the very purpose which the SES is meant for.

Thirdly, entry to the SES should be at the level of joint secretaries. But there must not be any provision for automatic inclusion at the entry level of the SES which in itself is a cadre. This is because there is no provision for automatic entry into any other cadre. So, all the confirmed officers of the civil service up to and including the deputy secretaries who have completed 10 years of continuous service should be eligible for SES. To be a member of the SES only eligible officers should be allowed to sit for the test.

The competitive test must be held regularly at least twice a year. An officer should be allowed to sit three times for the test. An officer failing to qualify in the SES test may be offered the option of retirement with promotion to the next post provided he has completed 15 years of civil service. Under the scheme of the SES, there should be provision for a high powered committee to recommend one time absorption into the Service of the suitable officers from among the joint secretaries. All the additional secretaries and secretaries may qualify for the SES, as they have passed the entry level position of the pool. Moreover, the SES should provide for specialisation of the mid-level and senior officers in such areas as Finance, Regulation, Development, Law, Engineering etc. This will help create more of functional specialisation among the civil servants than what we have now.

A civil servant may hold the membership of only one cadre. No civil servant should be allowed to hold membership of any other cadre if he qualifies and sits for the SES. However, such officer may be allowed to return to his previous cadre within three months of entry into the SES. One who returns to his cadre, will automatically lose the membership of the SES as well his claim to join SES again.

It should be noted that the rivalry and strain among different services found elsewhere is already a matter of the past. We can also solve our problem. A merit-base civil service is almost universally acceptable for addressing the problems of inter-cadre rivalry and public sector inefficiency. In Bangladesh, these problems pose serious impediment to our development efforts and threatens the success of any government. It is hoped that the democratically elected government will take valuable lessons from the mistakes of the past and take bold steps for bringing about reforms in public sector and creating a clean, efficient, and accountable civil service based on merit and merit alone.

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OPINION

The Conventions of Individual and Collective Ministerial Responsibility

S M Abdus Salam

DEMOCRACY requires that those who govern should be responsible to those whom they govern. The convention of ministerial responsibility seeks to achieve this aim. It has two aspects. First, the collective responsibility of the government as a whole to parliament and, secondly, the individual responsibility of the ministers to the parliament for decisions taken in their departments whether by themselves or by the civil servants.

The doctrine of collective responsibility involves two rules. First, it is accepted that the government must resign if it loses the support of the parliament. The prime minister and his/her ministers are collectively responsible to the parliament for the conduct of the national affairs. If the prime minister loses support in the parliament, he or she must resign or seek a dissolution of the parliament. This rule does not mean that the government must resign whenever it is defeated on any issue. There has to be a clear-cut defeat for the government on the matter of the policy.

Secondly, the doctrine of collective responsibility involves the rules that the government must speak in one voice. All the members of the government share collective responsibility of the government and ministers may not publicly criticise, or dissociate themselves from, the government policy. The essence of the collective responsibility is that the cabinet should be seen in agreement, a cabinet minister who feels unable to agree with his colleagues should resign. The constitutional justification of this rule is that the answerability of the government to parliament would be severely impaired if individual ministers were able to say that they personally did not agree with the decision taken in the cabinet. Ministers including non-cabinet members are normally bound therefore not to differ publicly from the cabinet decisions, nor to speak or vote against the government. The rule increases party discipline and unity within the government and reinforces the secrecy of the decision-making within the cabinet, thereby minimising the public disagreement between both ministers and departments of the state. It also serves to strengthen the authority of the prime minister in relations with his/her colleagues.

The convention of individual responsibility requires that the ministers are responsible to the parliament for their own actions, omissions and mistakes as well as for those of the officials in their departments. Thus the government bills are introduced into parliament by the department ministers, who are responsible for the proposals these contain. In the debate concerning the work of the individual departments, the minister concerned is expected to reply to the criticism raised and usually seek to defend the department. Ministers are also expected to meet the reasonable request of the members for information concerning their departments and answer question relating to their departments at question time.

It can be seen, therefore, that in many respects the relationship between individual and collective responsibility is very close and to this extent they may be viewed as twins. Many of the decisions announced by a minister will have been taken or approved in cabinet or by cabinet committees and to this extent the doctrine for collective responsibility will be attached to them. Similarly, while departmental minister may have the authority to make decision relating exclusively to the sphere for which he is responsible, or many matters which he may have to consult with other departments, for example the treasury, — should that minister then be held responsible for the consequences? Conversely, if a minister is facing censure in parliament as a result of his departmental policies, he may be individually responsible and accountable to parliament, but he can nevertheless expect the support of his governmental colleagues by bringing collective responsibility into play.

The writer is publicity secretary of Jatiya Party and an external law student of the University of London.

To the Editor...

"Act of Supreme Kindness"

Sir, Your second editorial published on August 1, 1996 — "Act of Supreme Kindness" — has distressed me.

Eliadah McCord was released from our prison following an appeal from American Congressman Bill Richardson. She was said to be of a tender age, and therefore, needed mercy. What a joke for a woman of 23! Remember, Ronald Reagan had sent troops to Panama to arrest Noriega, because he was allegedly a drug dealer!

Bill Richardson was only 24 hours in Bangladesh and conquered the country! he saw the president, the prime minister and the foreign minister and attended an official lunch during these few hours he was in our country! He came, he saw and he conquered! Remember, Micheal Fay — a boy of 18 or so caned in Singapore two years ago? President Clinton's three appeals could reduce the lashes from 6 to 4 only! Ms McCord would have been hanged in Malaysia and Singapore for the crime she committed in Bangladesh. As against that, our treatment of Mr McCord was so royal! If only possible, our government would, perhaps, be too happy to charter a plane to return her to the mighty USA.

Now why is The Daily Star so moved as well? It did not point out the double standard of this particular country, among many other subjects, on this deadly subject of drugs. It is not the first time that

The Daily Star demonstrated this weakness. I remember, when American Ambassador Milam was leaving Bangladesh three years ago, it his interview.

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Wealth statement of the MPs

Sir, It has been decided in a recent Cabinet meeting that ministers and MPs of the ruling party have to submit statement showing their assets and liabilities at the end of every year. The step is taken in order to ensure honesty in the highest echelon of the government. Hypothetically it is a good decision, no doubt; but in reality we do not think that the above measure will serve the purpose at all. Because, we have seen during the elections that the candidates of different parties including that of the ruling one spent huge amount of money violating rules of the EC.

For example, it is alleged that Awami League candidates in both Ramna-Tejgaon (Dhaka-10) and Motijheel-Shobujbagh (Dhaka-6) constituencies spent not less than 16 crores of taka each. But they have submitted statements to the Election Commission showing expenses of only three lakh taka each as their election expenditures. Candidates of the other parties have also spent similar amount of money during the elections. This being the situation, how

can one believe that the wealth statement to be submitted by the ministers and MPs will reflect their actual wealth?

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"Government of National Consensus — Some Thoughts"

Sir, Your post editorial (DS-July-16) though has not exposed all of the thoughts, yet I would like to put forward some basic questions to be answered by someone who really has the impartial answer. It is intriguing to me, why in an established parliamentary system of government another system strange to political science has been preferred by the ruling party. Are the Bills passed by the Parliament considered not having consensus of our elected representatives? Or, are the Bills passed that way don't get wide public support? Since the term is not only strange to us, but also strange to this sub-continent and political science, was it not required by the ruling party (who promised during election campaign that all major national decision would be taken on consensus), before forming a government of national consensus, to arrive at a consensus taking all major parties under confidence. They did not do so. They did some other things to save their tail, but now they are terming it Government of National Consensus (GNC) to save their face. If they do not

yet try to understand that they are exposed to the much cautious and conscious public on this, then are making a big mistake. If they really meant business, then they would clarify under what consensus two MPs of a particular region have been coaxed and remunerated with two very important full ministries. When a single MP of a party could get a portfolio, then why could not the then opposition alliance JI — having 3 MPs, get any place in the cabinet? Under the same consensus?

The opposition must be informed as per parliamentary norms, what the government wants to do and others' views must be heard. Whereas, the remark made by the PM on the opening day of 7th JS was a threat, "Now they don't understand GNC as they didn't understand CTG."

People living in the glasshouse must know how fragile and vulnerable that can be. With two years of struggle, hardship, loss of enormous resources CTG could be made understood. Now the GNC has come up at the outset. How long we have to wait to make opposition understand and to get the result of the experiment of a strange system? Do the richest countries of the world ever venture such experiments? If not, can we take such stake when present finance minister gives a gloomy view of the exchequer?

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