

## Repatriation Hiccup

HOW complicated a stalled refugee repatriation process can get has been driven home by a news item lately emanating from the Rohingya camps in Cox's Bazar. After three years in hibernation, thanks to the dithering by Myanmar government, the issue, or more precisely the residual part of it, has fanned out in a new direction. The number of refugees reported missing from the camps since mid-1997 when the repatriation exercise had emasculated is officially estimated at 22,656. As against that figure we have 22,000 persons actually living in the refugee camps. What a pity, the missing outnumber those who stay put in the camps! The scale could tilt further in the negative as more inmates are raring to stray into the outside, either out of frustration over an uncertain future or having been goaded by operatives of certain international ideological groups allegedly at work in the vicinity of the camps.

Our focus on the problem should not be read as a sign that we are condoning the administrative slack on this count. It is a lame excuse to say that the Rohingyas could flee the camps, because 'by appearance, language and culture' they are almost indistinguishable from the locals. If vigil had been maintained properly at the camp exits they could not have gone missing in the first place in that large number, let alone melt into the crowd. That would have also saved the government the manhunt they need to launch now to bring the missing back to the camps.

High birth rate among the Rohingya refugees is another complicating dimension to the repatriation issue. As it is, the Myanmar government has cleared only 7,000 amongst the encamped 22,000 refugees for entry, slowing down the rate of absorption not only by insisting on a low number but also by imposing various procedural formalities on the Bangladesh side.

We need to forcefully invoke the provisions of the tripartite agreement signed by the UNHCR and the governments of Bangladesh and Myanmar to get the repatriation process over with. Also, the understanding reached on the question through exchanges of high level visits between the two countries in the last couple of years should be made use of.

## Women in Public Employment

THE key issues of enhanced participation of women in the public employment matrix and recognition of their contribution to the country's economy are only beginning to come to the fore. Empowerment is integrally linked with socio-economic emancipation of women. There has to be a societal acceptance of women at work and a conscious effort towards fostering a conducive environment for them at the workplaces. These would trigger off a chain reaction of more women joining the workforce, making their presence strongly felt and eventually dictating terms in their own right. Such ripple effect, essentially bottom-up, would automatically result in equitable distribution of positions in the public sector. However, the prevailing gender ratio in public employment is dismal, to say the least. A Public Administration Reforms Commission (PARC) report says women occupy only 12 per cent of government jobs; that too, by virtue of a quota designated for them at different levels. It can only mean that women are either not properly encouraged or allowed to take up public employment.

Basically, poor participation of women in public service is reflective of a societal apathy, if not antipathy, to the very notion of women at work. The prevailing system speaks of a rather condescending attitude on the part of the government, a non-acceptance of the fact that women can hold key positions by their own right. Whatever may be the underlying rationale, the reality is that the system has over the years failed to attract women. Only 12 women in the upper echelon of the civil service – one of them secretary – depicts minuscule presence of women in senior positions.

PARC has a few recommendations towards redressal of the abysmal scenario that strike a responsive chord in us, especially its call for neutral selection and promotion policy in place of the existing quota system. While dispelling misgivings of patronisation, it would inspire competitiveness in women to move forward and do better than their male counterparts. In this direction, however, the first step should come in the form of societal acceptance of the notion that women can work and excel in government employment. Improvement of physical environment would automatically ensue once the psychological barrier is overcome.

## Work in Concert

JUST the other day we expressed our shock at the frequency of murders in the city. Our agony now multiplies with the news of altogether 25 murders taking place in the metropolis during the last fortnight. All this bears an ample testimony to another tumble taken by the law and order situation in the capital city. Police people, however, like to argue that since some of the incidents involved a wife being murdered by her husband or a father becoming the victim of his own son's brutality, these do not reflect any law enforcement failure. Police vigil would not have made any big difference there, they contend.

In our opinion, what the police in all the cases can, however, do is to expedite the investigation and arraignment processes and make sure the killer is punished. At this juncture, the effective support of lawyers and judges would be of crucial importance in handing down a conviction.

We would, therefore, urge the law enforcers, attorneys and judges to put their expertise together and dispose of cases at hand with a combined effort. People expect that they will take a holistic view of the matter and work in concert to put civic security back on an even keel. Obviously, the police need to act first; they have to complete the process of investigation at the soonest and in a fool-proof way so as to let the wheels of justice move against criminality in any shape or form.

# Default Culture and the Unholy Alliance

*The economies of Thailand and Korea crashed a few years back because of non-payment of bank loans. In Bangladesh the problem of default culture has already assumed a serious turn... But there is yet to be a strong political commitment by both the parties in power and in the opposition to realise the long overdue bank loans and not to encourage in any manner the default culture.*

tutions stood at 24 thousand 23 points 28 crore taka (The Daily Janakantha 24 July 2000). Out of this, the bad or almost never to be recoverable amount of bank loan amounted to 21 thousand 127 crore taka. Imagine how many roads, bridges, culverts, schools and colleges and industries could have been built and set up and physical and social infrastructures developed for generation of employment opportunities! In December 1999 the amount of default loan was 23 thousand 879 crore taka. During the six months' period ending in February 2000 default loan galloped to the tune of four thousand crore taka (The Daily Janakantha 4 March 2000).

At that time the Finance Minister expressed his deep concern and held the slackness and laxity of banking management and the weakness of the inner regulating system of loan monitoring for the unprecedented rise in default loan. But despite the Finance Minister's advice to put a brake on the sanction of loan, there is, however, no improvement in the situation. Rather the amount of default bank loans is increasing by leaps and bounds perhaps under 'invisible instruction'. One of the reasons is undue political pressure, particularly on the nationalised banks to sanction loans as a political favour without judging the merit of the Project Concept Papers (PCP) which together with cash flow and proper valuation of the securities form the basis of the sanction of loans. A seminar held in the national metropolis on October 4 threw enough light on how the amounts of default loans are allowed to accumulate and how the cases for their recovery remain unsettled for indefinite period. Justice Naimuddin Ahmed, a Member of the Law

Commission, charged that a culture of non-payment of loans had developed in the society. 'Judges, lawyers, bankers as well as parties involved are taking advantage of legal loopholes and together they cause delay in the settlement of the cases. He termed them as 'part of a coterie'. According to him the defaulters appoint high profile lawyers by paying fabulous amount of fees and the judges impressed by the

their settlement. For the loan default the bankers concerned are to be blamed first, though in many cases they are rather compelled to sanction loans unwillingly. Bankers are supposed to know well as to who is a good borrower and who is a bad one. They are also responsible for not properly monitoring the outstanding loans. They do not file cases when the amount is small and only go to the court when it

All these have contributed to the snowballing of the loan default problem coupled with the widespread tendency of tax evasion (former Finance Minister Saifur Rahman had once maintained that only two per cent of the people in Bangladesh were in the habit of paying taxes). The loan default culture has resulted in hedonistic life-style among the receivers. It is so alleged that after getting the bank loans what some receivers usually do is to purchase air tickets for world tour. Then they go for purchasing land or cosy flats in the metropolis. They are, as if, followers of the Sophists of ancient Greece or of the 'Charbars' of India, whose gospel had been 'Rinang Kritta Chirlang Peebet' (eat butter even by resorting to borrowing). Since the payment of bank loans can be deferred and eventually written off and since there is no accountability, transparency and discipline in loan sanctioning and monitoring, the receivers are tempted to go for luxury with the public money.

Many those in authority, overtly or covertly encourage the defaulters though for public consumption and as a political stunt and eye-wash they often indulge in tall talk. They do not mean what they say. Otherwise the amount of bank loans would not have registered a continuous upward swing since the time of late President Ziaur Rahman. It is indeed an irony that no action is taken against big loan defaulters but certificate cases are filed against poor peasants who owe a few thousand taka of agricultural loan. The default culture, in its turn, has polluted the society with corruption, black money, unproductive expenditure, violence and other crimes. Through the mechanism of what has been termed as rescheduling, big loan



**HEART OF THE MATTER**  
Mansoor Mamoon

appearance of such bigwigs, delay the procedures of such cases. A lawyer can delay the settlement of the cases for some time, but a judge can do the same for an indefinite period, said the Law Commission Member (The Daily Star, 5 October, 2000).

The seminar was of the view that ninety-nine per cent of the cases of default bank loans is free of complications. In spite of the fact that there are all the relevant papers at hand, 'human elements' are responsible for causing and masterminding inordinate delay. Law or procedure in this regard cannot be blamed. Under the existing law the sub-judge is capable enough and fully empowered to deal with such cases and there is no need for their references to the High Court Division of the Supreme Court. Yet the High Court is burdened with the cases of bank loan defaults. Justice Naimuddin said the Supreme Court should monitor such a pass of piling up of cases as not more than six months are usually required for

gradually assumes huge proportion combined with interest. Consequently, the defaulters and lawyers look for loopholes in the law and 'a coterie of vested interest' is formed to delay the process of recovery.

The existing Bankruptcy Act is rather complicated and defaulters take advantage of its lacunae. To the enlisted pleaders what is of prime interest is not what the banks paid, but what the parties pay them (the seminar was of the opinion). Court verdicts, though few and far between, are also not properly executed. Receivers entrusted for the recovery of the bank loans through the sale of the mortgaged property and securities face many problems due to which they are not willing to work as such. It has been alleged that when such a receiver went to take charge of the mortgaged property of a defaulter, he was chased out by the roughs and toughs of the person concerned.

## A Tale of Two Colonies

by Obaidul Hamid

*The colonial legacies in Australia and Bangladesh may invite one to conclude that the British probably had two different colonial policies: one for the colonies of Asia and Africa, and one for colonies like Australia. The British exploited the former to politically and economically empower British imperialism. Australia had a different status in this regard; it was a proper place to accumulate their wealth.*

political change such as the one involved in voting for a republic. Probably, they were quite happy with the current system, or at least not too dissatisfied to bring about change, in it. Those who voted for the Queen might have also thought that being a republic 'is not a big deal' since Australia is governed by the Australians themselves and the presence of the Queen is not an obstacle in any way; they can lead their nation to any direction they want without any untoward interference by the British monarch. Viewed that way, the decision of the voters saved the Australian Government from doing massive but useless paperwork which would be required if the republicans won.

However, the result of the referendum can be interpreted from a colonial perspective, and it can be related to British colonialism all over the world.

The fact that the Australians do not desire to break away from the British monarch encourages one to maintain that the colonial experience of the Australians is not sad or nightmarish like that of the Indians or Africans; it is, rather, pleasant, which is why the Australians have been happy with the British and prefer to retain the British connection in the years to come. It will be relevant to mention here that India retained the last British Governor General, not to mention later or now. This testifies to the observation made above: the colonial experience in Australia is different from that in any other former British colony.

There is of course good reason for the Australians respect for the British monarchy or the sense of pride they feel in identifying themselves with the British. The foundation of today's Australia, the dreamland for many, was laid during the British rule. Most of its achievements, including states and cities, roads and highways, ports and buildings, islands and bays, were the works of the British and most of them bear British names today. The touch of the

British hand in building the nation is explicit throughout the country. Here I will mention only a few simple things from Victoria, the southern state, which was named after Queen Victoria. Anyone visiting Melbourne, the capital of Victoria, will be thrilled by the beautiful Flinders Street Station and will never miss to take pictures with the gorgeous railway station in the background. This is, in fact, one of the icons in the city of Melbourne and it has added to its attraction. This was constructed during the British rule. The Werribee Mansion in Werribee is another tourist resort in Victoria, which invites many tourists everyday. This Mansion was built by the famous Churnside family, which migrated to Australia during the colonial rule.

If you want to see the Australians' love or fascination for the British, Ballarat, about two hours drive from Melbourne, will be the best place in Victoria. This place attracts hundreds of visitors everyday because it is famous for what is historically known as gold rush. This is also a live museum, where you can take a journey to Victorian Ballarat when gold was discovered in the place and thousands of people rushed here from Europe, Asia and even America in search of gold. As you step into the mine area, you realise that you are back into history and you can communicate with British redcoats, shopkeepers, blacksmiths, coachmen and common folk of the time and they would show their Victorian appearance, manners and customs. This live history is not sad or tragic, like

that of indigo cultivation in British India.

For good or bad, our colonial experience is ever present in our mind and we tend to compare our colonial inheritances with those of others, both consciously and unconsciously. This is perhaps a common feature of our sub continental character and I discovered it in myself when I was living in Melbourne. Every time I saw any work of the British, I subconsciously asked myself, 'Is there anything like this in Dhaka?' Very often the answer was no and I used to conclude that there was hardly anything in Dhaka that could make us reasonably proud of the British presence in India for about 200 years, except perhaps the English language. Even this cannot be cited as an example of British generosity, since they imposed their language on the Indians for administrative advantage, which would, they believed, prolong British presence in India. Today, after half a century, if you have a tour of the whole city of Dhaka, you will hardly find anything of the British that invites thousands of tourists from overseas and/or that makes you respect the British rule. Edmund Burke aptly observed:

[In British India] England has erected no churches, no hospitals, no palaces, no schools; England has built no roads, made no high roads, cut no navigations, dug out no reservoirs. Every other conqueror of every other description has left some monument, either of state or beneficence, behind him. Were we to be driven out of India this day, nothing

would remain, to tell that it had been possessed, during the inglorious period of our dominion, by any thing better than the outran-outang or the tiger (Speech on Fox's India Bill).

But you will certainly find the British in our Government offices, in our long-hated bureaucracy, and in your most abiding servant cases. The colonial legacies in Australia and Bangladesh may invite one to conclude that the British probably had two different colonial policies: one for the colonies of Asia and Africa, and one for colonies like Australia. The British exploited the former to politically and economically empower British imperialism. Australia had a different status in this regard; it was a proper place to accumulate their wealth.

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## To the Editor...

### Oh Jerusalem!

Sir, Once again Palestinian leader Yasser Arafat has proved his statesmanship to help solve the Palestinian problem peacefully and judiciously by deferring the declaration of independence of Palestine on September 13, the target date which was decided, agreed upon and signed under PLO-Israel accord in White House in the presence of US President Clinton on September 13, 1993.

Since the advent of Islam in the 7th century AD, Palestine with Jerusalem as its capital has been an Islamic state under different Muslim regions.

In view of the Article 49 of the fourth Geneva Convention of August 1949, UN resolution 338 of October 22, 1973 and consistent world public opinion over last five decades the Israeli government in collaboration with the US government agreed to and solemnly promised to hand the Israeli occupied land to the Palestinians by September 13, 2000. But Israel now in league with the US insists that Israel will give control to the Palestinians over sacred mosques situated in east Jerusalem but they will not

give the sovereignty over east Jerusalem to the Palestinians.

We call upon the world conscience and 189 members of the UN to help evict the Israelis from east Jerusalem. We also urge the world leaders to impose UN economic sanctions on Israel which should continue till Israel vacates the occupied lands of the Palestinians.

O. H. Kabir  
Wari, Dhaka

### Education, or Exploitation?

Sir, The Daily Star has been publishing various news items and articles on our education system and schools. However, nothing is being written, recently about the English Medium schools. I wonder if there is anyone at the helm to look after English Medium education system and monitor the activities of those schools. Or have we entrusted this responsibility to

the University of London in UK? If it is so then we should not really very proud of it!

I would like to draw the attention of authorities concerned to some of the irregularities and profit-making attitudes of some of these schools. I believe a democratically elected government has at least some responsibility to ensure proper education of the country's citizens and protect it citizens from exploitation and deceiving.

A few things that bother me about these schools are:

a) They seem to dupe the students and parents with assurance of quality education at a reasonable cost. However, once they have the required number of students they keep on increasing the fees and other charges. There seems to be no one to oversee this issue. If their real intention was known, most parents would have sent their wards to India for schooling.

b) There must be some law regarding collection of funds to develop one's business. How can a school collect funds for their

business development without drawing the attention of concerned authorities?

c) There must be a government rate of charging bus fare based on the distance (i.e. Taka per km). How can these schools charge an arbitrary amount?

d) We have people in the ministry and different departments of education. What they are doing about it?

A Parent  
Dhaka

### Jurisdiction of JS Standing Committees

Sir, Please refer this letter to the DS editor of September 30, 2000. Is there any legal capacity of a JS Standing Committee to call any document from the Executive? If there is, the Ministry of Defence (MOD) could not possibly have withheld the papers from the Committee. If there is no such law I cannot blame the MOD for

not supplying the papers to the Committee. After all they (MOD) cannot supply any document to anybody without legal requirement, certainly not information of such nature that may still have bearing on present-day politics. On top of that are our MPs, as member of Standing Committees, sworn to keep information secret which they get in their official capacity?

The office that has the capacity to call documents from a ministry is the prime minister's office (PMO). It is the PMO that can seek the information and make directives. I can't see why the PM is not being asked to make necessary law to give the Standing Committees some teeth so that it may call document or issue specific directives on specific case. I don't know whether the PMO would like to see MPs enjoy such power. However, it would certainly be a step towards good governance.

Md. Maqsudur Nabi  
Dhaka