

A Wise Move Indeed

WE exult over the manner in which the High Court has disposed of the three contempt petitions against the Prime Minister, the fate of which the entire nation awaited almost with a bated breath. Intrepid and sagacious, the High Court Division of the Supreme Court refrained from issuing any rule on the question or a show-cause notice to the prime minister. Rather it rest content with cautioning her that she better be 'careful and respectful' in making any statement or comment on the judiciary, judges or courts in the future. This is for the second time that she has received such a stricture-type counsel within a year of each other.

The merit of the HC verdict lies in the fact that it has scrupulously avoided any souring of relations between the executive and the judiciary which would have caused public confidence to diminish in both of them, not to mention the impediment it could create to governance. Secondly, if the judgement were any different the judiciary might have been a part of the controversy one saw raging right from the beginning of the reactive process steaming with political, constitutional and judicial implications. It is a great relief to note that the judiciary by its wise move has stepped back from the vortex of politics. It should also be possible for the lawyer community that stood divided on the issue to let off the heat by virtue of a benign piece of judicial dispensation. To top it off, the verdict comes as an assertion of the independence of the judiciary.

As for the note of caution served up to the PM we recall having editorially entreated her several times not to be too simplistic in blaming the high judiciary for grant of bail. First of all, it is the lower courts under the executive branch of the government that give most of the bails. Secondly, it is poor preparation of case that invited such reprieves. Moreover, hardly any grant of bail is appealed by the government.

The PM's remarks were not only injudicious they were also repetitive to a point of courting ire. Thankfully, it has worked out well in the end. Now it depends upon the PM to reciprocate.

Basically though, she needs to change her focus from blaming the judiciary to improving the quality of prosecution by concentrating on: (a) legal training of the police officials involved in investigation and arraignment; and (b) strengthening the Attorney General's office with public prosecutors chosen on professional merit rather than by party colour.

Public Money Going Waste

THE special audit report on wastage of more than Tk 1,882 crore in public funds has essentially translated into figures a disquieting fact we have known all along - the departments under the government's wings have become dens for corrupt and incompetent men. Also, it is not for the first time that the Comptroller and Auditor General's office has unearthed evidence of gross irregularities and wilful malpractice at the state-run establishments. On many occasions before, the CAG took pains to dig out hidden states of accounts, tally them with the ones made public, list incidents of incongruities and thereafter submit a detailed report to the president and the parliament for perusal and further actions thereon. In November of 1998, the CAG divulged how a nexus between top businessmen and high-level bank officials had burdened the nationalised commercial banks (NCBs) with a huge amount of bad debts. In June of 1999, a similar CAG special audit brought into public attention inexcusable mismanagement at the Bangladesh Telegraph and Telephone Board (BTTB). Unfortunately, in both the cases, the ball stopped rolling right there. To our knowledge, no one was questioned, let alone identified, tried and punished for professional negligence. One could hardly be blamed if one inferred a similar fate for the latest CAG special report.

The special audit reports on the state-run entities can be looked at from two different points of view. First, these are testimony to the fact that the public-sector service organisations like BTTB, PDB, Titas Gas, WASA etc are not up to the responsibility of effectively, efficiently and, more importantly, ethically serving the people in the country. Not only their incompetence and negligence has rendered the public service network in tatters, but also their greed has resulted in siphoning crores of taka off the public exchequer to individual coffers. Second, the government's inaction despite repeated reminders of the irregularities and malpractices at its departments and corporations suggests it is either incapable of or loath to taking any disciplinary measures against the wrong-doers. Both, however, point to one solution - withdraw the government's control over the ailing and non-performing service organisations. It is not a healthy sign that such crucial organisations as BTTB, Titas Gas and the like have become gobblers of public money. It has to stop and stop now.

Stonewalled for More than Two Years!

IN order to apply brake on frequent foreign tours by government officials, Prime Minister Sheikh Hasina had issued a directive at the fifth meeting of National Training Council in 1998 to ministries requiring that they formulate guidelines for the functionaries' participation in training programmes and seminars overseas. Secretaries were supposed to submit draft guidelines by the end of that year. Since then, two-and-a-half years have passed and yet the 'new rules' remain as illusive as ever.

This is not for the first time that a prime ministerial directive has fallen on deaf ears. While the previous floutation of PM's instructions had to do with an environmental concern like in the case of encroachment into the river Buriganga, this one is no less shocking because it has occurred at the heartland of government administration viz., the Secretariat. The exercise was sought to be initiated by the PM with a view to averting dislocation in official work entailed through frequent foreign trips by government officials. There is also a huge monetary implication to it.

It seems to us that officials are not keen to rewrite the rules, as in a revised form these could affect their interest in tours abroad. Let the PM go into the matter and have the officials comply with her directive for new rules in a few weeks' time.

The Middle East Peace Process on the Rocks

The final stumbling block is Jerusalem. President Clinton appears unwilling to leave it for his successor. For a deal on Jerusalem must take place sooner or later. The peace process has moved too far forward to reverse gear.

AFTER long and tortuous negotiations and violent clashes in Palestine between the Palestinian youths and the Israeli security forces, the peace process between Palestine and Israel appears to have come to a position which calls for a pause. And this in spite of the US President Bill Clinton's prodding of the Chairman of the Palestinian Authority Yasser Arafat and Prime Minister of Israel Ehud Barak. It will be a major miracle if peace is concluded between the two adversaries during the tenure of President Clinton.

The situation has appeared to have come to a dead end on the thorny question of Jerusalem. Let us recall that Jerusalem arouses passions in the densely populated Middle East, like no other issue does. It is the holy place of Islam - Arabs and non-Arabs. It was the first Qibla even before the Holy Kaaba. Until 1967 it was under Jordanian sovereignty. During the long reign of the Ottoman Sultans, it was administered by the representative of the Ottoman Empire. During the recent negotiations between Palestine and Israel, the Turkish authorities opened their archives and the Palestinians and the Israelis consulted those documents. During the 1967 war between the Arabs and Israel, Israel annexed East Jerusalem along with several other Arab territories. Israel had declared Jerusalem her eternal capital and annexation was implementation of that

scheme. The world refused to acknowledge the Israeli claim and no state agreed to move its embassy to Jerusalem not even Israel's benefactor, the USA. After many ups and downs in the negotiations between the two parties the focus is finally on Jerusalem. The question arouses such violent passions, that former US President Jimmy Carter, who brokered

The Horizon This Week

Arshad-uz Zaman



the peace between Egypt and Israel, has recently suggested that the peace process should be completed keeping on hold

Jerusalem for 20 years. It is highly doubtful if this idea of former President Carter will be taken seriously. Politicians be-

lieve that they can solve any problem and since the question of Jerusalem has been taken up very earnestly, there can really be no going back.

During the recent bloody confrontation between the Palestinians and the Israelis, one matter became crystal clear: The peace process has a life of its own and no force on earth can throw it off the tracks. That is why at the height of tension no politician has called the peace process "DEAD".

The tragedy appears to be that following the landmark agreement leading to the first Camp David success between Egypt and Israel, the new follow up came after 12 years with the coming on the scene of another Democrat President Bill Clinton in the USA. There was thus an interregnum of 12 years when US initiative on the peace process was virtually frozen. President Clinton has devoted more energy, time and effort on the peace process than any other President of the USA. He has achieved remarkable results like the handshake between the Palestinian Chairman and the Israeli Prime Minister. He seemed tantalisingly close to wrap up the entire peace process. For he had engineered the deal between Jordan and Israel and between Morocco and Israel. He had nearly clinched a deal between Arafat and Barak.

He had taken the fast track between Syria and Israel on the question of Golan Heights. The deal between Lebanon and Israel could not have taken place without Syria's blessing. Thus Syria was positioning herself for a deal with Israel. This would mean that all the issues of the Middle East would be settled. And Bill Clinton had brought the parties very close indeed.

Much has been made in the Arab world of a government of National Unity in Israel. Thus Ehud Barak has extended an olive branch to his opponent Ariel Sharon of the right wing Likud party apparently in an effort to wrap up the peace process between the Arabs and Israel. He seems determined to expend the last ounce of his energy for a deal between the Palestinians and the Israelis. The final stumbling block is Jerusalem. President Clinton appears unwilling to leave it for his successor. For a deal on Jerusalem must take place sooner or later. The peace process has moved too far forward to reverse gear. The US Presidential elections are due on 7 November next. From that date on President Clinton will occupy the White House for nearly two months but strictly as a lame duck. It is very difficult to see how he could take any important initiative during this period. Whatever happens President Bill Clinton deserves the gratitude of humanity for being so energetic to bring peace to the strife-torn Middle East.



Despite Sharm el-Sheikh, violence continues: Yet peace is the only answer.

Sterile Politics, Stingy Politicians

by Kazi Alauddin Ahmed

There is no use in shifting the onus on politics, rather, it should be shared by the politicians themselves who are unable to rise above self to vindicate the rights of the people whom they represent.

IT appears that personal vilification has turned out to be a favourite pastime with many of our politicians. Unfortunately, very few top ranking political leaders in the major parties could be excepted. Remarks and counter remarks being traded are often crude, utterly offensive and devoid of decency. The exchange is all the more malevolent and obnoxious when the second in command in the party defends his chief. In fact, on such occasions his enthusiasm is boundless, his words are highly provocative. Here criticizing the government's policies is invariably synonymous with criticizing the person, viz, the Prime Minister himself. Likewise, any criticism of the opposition would mean trade personally against the leader of the opposition. The most intriguing aspect of this process has been that irrespective of the party taking seats in the opposition it is mandatory for it to find fault with the government. This is the irreversible tradition our political parties, who matter, have been patronising with little or no departure.

President Justice Shahabuddin Ahmed had time and

again urged the political parties to sit together and forge a consensus on major national issues. Concurrently, he also urged the political parties, their leaders in particular, to freeze students' politics at least for five years. His appeals born of genuine anxieties, have fallen on deaf ears.

Harbouring criminals by the major political parties has again been a malignant tumour on the body of the civil society. The emergence of the diabolic 'god-fathers' in the political scenario continues to make things more and more difficult. Armed party cadres having direct or indirect blessings of the leaders of the major political parties have been perpetually creating law and order situation. Brandishing of fire arms and lethal weapons openly, one killing the other, snatching, hijacking, extortion, kidnapping at gun-points and many other acts of terrorism continue compound-

ing the state of insecurity. The whole socio-political scenario has now assumed the ugliest proportion that beggars description.

Our leaders often feign that they are the harbingers of the rule of law. In the height of their pretensions they loudly proclaim that the law should be allowed to take its own course. But in actual practice we see something different. The political leaders imputed with specific charges of corruption wait for their part often provoke the followers into veritable rowdism in the court premises interfering in the smooth proceedings. The leaders on the other hand, do not take lessons from similar legal action being taken freely in neighbouring India. Former Indian Prime Minister PV Narasimha Rao and Home

Minister Buta Singh, charged with corruption, were sentenced to three years' imprisonment but the Indian Congress didn't, at any time, stage a demonstration in the court premises or on the streets.

Internal rift and bloody encounter within the major political parties is yet another ominous obsession with the respective party bosses. There have been sporadic attempts to compose such intraparty tussle but the results are hardly positive. The bosses are apparently unable to hit at the roots and keep the problems ever compounding. The appropriate prescription, in my humble opinion, would be to expel both the contending parties to the feud after a specific period. Under such compulsion the disturbing elements will do the patch-work themselves and the bosses will not be blamed by either of the contenders of being one sided. Likewise deserters from one party should not be welcome by

any other party. Because these are the men who often do more harm than good to the well-coming party creating consequently large-scale dissension among the dedicated and tested workers of that party. The status in BNP can be cited as a glaring example.

Very recently the former finance minister and BNP leader Saifur Rahman told the Reporters' Unity that personally he was not in favour of abstaining from the Jatya Sangsad session. He plainly confessed that he was compelled to follow his

party decision. Prior to this, BNP parliamentarian Major (ret'd) Akhtaruzzaman ignored party directives and participated in the proceedings of the last session of the Jatya Sangsad. Now he is about to loose his seat. However, he had shown the guts but Saifur Rahman, a senior member of the standing committee could not. He has instead allowed himself, nay, his moral obligation to his electorate, to be eclipsed by the stubborn overtures of the party leadership.

There is no use in shifting the onus on politics, rather, it should be shared by the politicians themselves who are unable to rise above self to vindicate the rights of the people whom they represent.

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.

"Future Development Potentials of Chittagong Port"

Sir, The more than half page advertisement of Mr A. B. M. Mohiuddin Chowdhury, Mayor of Chittagong City Corporation with captioned headline published on the front page of several national dailies (16 October) reminds me of an article I read in the Institute of Engineers' (Pakistan) magazine of 1966 on the possibility of a very large sea port at the Swandip Channel.

Like the way it has been shown in Mr Mohiuddin Chowdhury's advertisement, the article in the institute magazine also looked very impressive. The main snag is, however, the mobilisation of the colossal amount of capital required for such a massive project. It surely is beyond the means of our government. The donor agencies would not be interested in such a large port that will remain highly under-utilised even after 50 years from now considering the growth potential of the suggested hinterland of the proposed port.

I feel that our national purpose and objective will be better served with a similar but much smaller port at Kutubdia Channel. This port can be developed at a fraction of the cost of the massive size port suggested at the Swandip channel. Depth of water at Kutubdia Channel is higher than that exists at Swandip Channel besides this island is only two nautical miles away from the Mainland while Swandip island is roughly 30 nautical miles away from the mainland. So the cost of the road/embankment at the northern tip of the island and break water at the southern tip of the island required for the

project will be fraction of the cost of the proposed port at Sandwip channel. As this project will be much smaller but adequate to meet our requirement for at least next 100 years, mobilisation of the requisite fund will also not be that difficult. Besides working environment in Chittagong Port is very poor. Work stoppage and strikes are rampant and this has made this port the most inefficient and at the same time the most expensive port in this region and any new investment in the development of port facility at Chittagong will be sheer wastage. It will be more practical and feasible to have new port at Kutubdia channel which will be cost effective and at the same time meet needs of our country besides that of Nepal, Bhutan, North East Indian States, Southern China and North western Myanmar for next 100 years at least.

As the size of this project will not be over ambitious arranging fund for the project is not going to be very difficult. Our port facilities are inadequate and cannot even meet our present need. It is essential for us to develop new port facilities to meet our present and future trading needs. It takes at least 15 to 20 years to develop a port. Present congestion of the port and unionisation of the workers to a high degree has made Chittagong the costliest port in this area and this extra cost is borne by the poor consumers of the country and our exporters compared to our neighbouring countries.

So for our very survival and existence as a nation, development of new port at Kutubdia is a must. I hope the concerned authorities would consider this development of port facilities

seriously so that our industrial development can be expedited and poverty alleviated at the quickest possible time.

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What is the justification?

Sir, A huge advertisement "Future Development Potentials of Chittagong Port in Bangladesh" was published in the Bangladesh Observer on October 16 with a sketch map showing the Sandwip channel, jetty facilities and R.C.C. embankments in Sandwip and Chittagong from Sitakund to Patenga.

It appears that the advertisement has been published by ABM Mohiuddin Chowdhury, Mayor, Chittagong City Corporation. It so indicates because his name is written in bold letters on the bottom of the advertisement.

However, we fail to understand the objective, motive and significance of the advertisement. Is it meant for the personal publicity of the Mayor or for some other noble purpose?

If it is aimed at developing the both sides of Sandwip channel from Sitakund to Patenga as a modern sea port then what is the financial implications involved in the project, how and when it would be taken in hand and completed?

Why the above basic information are not mentioned in the advertisement?

We consider the advertisement a fantastic vanity and braggadocio on the part of Chittagong City Corporation and wastage of public money.

For the sake of accountability and transparency would the Ministry of LGRD kindly look into the matter, inform us the amount of public money spent on the advertisement and the very justification of publishing the ad?

A Citizen
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Dhaka facing economic collapse?

Sir, It looks like Dhaka is facing an economic collapse in the near future due to the huge bank-loan default culture, running into thousands of crore of Taka. Two regimes have been grappling for a decade with this menace at the highest level of the society, but the penetrative effect of the regulatory measures is not transparent, due to political links working through the back doors (it is an open secret).

Dhaka appears to be blindly following the Bangkok example, with huge but shallow and hollow structures. When the time comes, the collapse will have an uncontrollable cascading effect, as happened in the SE Asia a few years ago. Weak Bangladesh will find it difficult to recover quickly from this damage. What a pity there is none in the society who can nurse ailing Bangladesh! We have to live in this limping sonar Bangla for quite a while. There are no silver linings in the clouds.

The solution can only come from tough political will, to endure transparent politics. Only the people can bring it about, not the players (the politicians). Unless our politics is cleaned inside out, there is no hope for Bangladesh. The writing is on the wall, and it is not invisible or in erasable ink.

Dhaka needs another clean-up mass movement, as it happened in 1990. The power drunk politicians won't listen, as they have lost the gift of communication. The voice of the people are not being heard by the decision makers. We have got independence, but have not yet learned to govern ourselves. It is the fault of the voters who have propped up under-grade leadership, and now we are paying the price of third class decision-making phobia. In fact, the whole world is facing a leadership crisis, and Dhaka is part of the universal malaise.

A Mauvaz
Dhaka

OPINION

Political Power Failure

Abul M Ahmad

THE system loss in the electrical power sector (DS editorial, Oct 2) cannot be rectified as it symbolises the failure of political power or will. The main problem is human system loss. The two main lapses are: practically complete absence of departmental disciplinary action; and failure to control the trade union activities (CBAs in the different sectors) which go against public interest.

Politicalization is the hidden enemy of the nation, and this slow poisoning is worse than the arsenic poisoning the nation is experiencing. The experts may like to calculate the cost of poor leadership, and place the inventory before the nation for judgement. There are too many political judgements at the fringe or marginal level; it is time to reverse the scenario.

The PM took over the power ministry, but the necessary reforms and operation clean-up were not, or could not be, formulated and implemented, perhaps due to political meekness. Besides, management, administrative and financial controls are not yet in place.

The whole management environment has to be changed (as recommended by the international bodies). This is not possible in the public sector without the civil service reforms. Creating public-controlled corporations and companies is not the full solution, as experience has revealed so far. Modern marketing orientation concepts have to be incorporated in the strategies, to ensure no-loss environment, and encourage revenue surplus. The political will and consensus are lacking as pointed out repeatedly in the mass media. Who will, and can, undertake this silent revolution?

Without political consensus at the national level, political exploitation amongst the major political parties will keep the nation divided. The national political base is still weak. The foundation has to be built first, but the elected regimes are still suffering from hastiness and hurried safety-first measures after 16 years of autocratic rule.

The party insecurity syndrome is still there, leading to ad hoc and contingency policies. The Awami League is keen to bridge the 21-year gap, and the BNP is suffering from the cantonment party propaganda; and the Islamic parties do not get the benefit of the doubt. The credibility of the politicians is at stake when the voters analyse their performance since independence. The current bureaucratic set-up is a liability and burden. With the political game at loggerheads, governance is topsy-turvy. The nation cannot get the freedom from stultinate

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