

# The Daily Star

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## No Law, No Tax

THE business leaders of Chittagong have a long list of grievances about their law and order situation and we agree with all of them. In a meeting last Wednesday they declared that they would not pay taxes to the government if the latter cannot guarantee a minimum level of law and order. Here is a sample of what they had to suffer from in the last two years: 148 murder, 77 kidnap, 215 hijacking, 190 clash and consequent destruction of property and 96 dacoity. In addition, in the last two years there were a total of 83 days of *hartal* which caused a loss of Tk 5,000 crore. In the garments sector alone recent *hartals* have caused a loss of Tk 2,500 crore. Frequent work stoppage in the Chittagong port is another source of great loss to the country's economy. The incidents mentioned are the major ones. There are surely numerous others that have not been reported.

The business leaders of Chittagong have every reason to feel frustrated. **On the one hand our Prime Minister is touring the world inviting foreign businessmen to invest in Bangladesh and on the other hand her government is doing virtually nothing to help our local businessmen to carry on with business in a peaceful manner. To make matters worse, most of the above mentioned crimes have remained unearthed.** Many of these crimes are either politically triggered or have some direct or indirect link with political big shots that prevent the police from arresting the culprits.

We express our solidarity with the business leaders of Chittagong to the extent that our port city must be saved from the clutches of criminals. However, we are not certain that we can support their move of not paying taxes to the government. We consider this statement more an expression of their frustrations rather than a plan of action. **The question we want to ask is that what does the government plan to do about Chittagong? We have written several times before, that the situation in the port city is extremely grave. Our government does not seem to understand that if Chittagong does not function properly it is not only the local economy but that of the whole country that suffers.**

Already doing business in our port cost far more than doing business anywhere in the region. Handling charge for a 20-feet container is US\$640 in Chittagong as compared to US\$220 for Colombo, US\$360 for Bangkok and US\$216 for Singapore. One of the main reasons for such an abnormal cost for our port is of course frequent *hartals* and arbitrary work stoppages by the trade unions. We must be completely mad to allow such a situation to continue. How can we expect our business houses to have the minimum of competitive edge if our port hikes up the cost by such a margin?

We urge the government to take the warning issued by the Chittagong business leaders most seriously and take immediate steps to improve the law and order situation in our port city, not only for the sake of the businessmen their but for the economy as a whole.

# Politicisation of Bureaucracy

The truth is, bureaucrats have always loved to be politicised, whether in service or out of service and it did not (and does not) matter by which party they are being anointed. It is predatory expediency, pure and simple. Over the years, the bureaucrats have invented various ways of ingratiating themselves with the politicians.

promotions arbitrarily. This does not make the public officials superior to political ministers or members of parliament but allows them freedom to function in accordance with the laws, rules and regulations that prevail. Through institutional arrangement and on the basis of rules and procedures the working relationship between the political and the public officials is defined without ambiguity. It is a relationship based on mutual understanding of each other's responsibility, power and accountability. The system assures the political decision-makers support and compliance from public officials in the task of governance within a hierarchical framework. It allows the public officials the environment to conduct business transparently following rule-based procedures. At the personal level, such a dispensation makes the trajectory of the public servants' career predictable, freeing them from tension or anxiety arising from a feeling of uncertainty. Total subservience or obedience to political superiors is not exacted as the price for getting what is one's due in the natural course. Not being appointed by a political party or held in hock to them, the public officials do not have to curry their favour for reward or preferential treatment. For the same reason, they do not have to acquiesce in politically motivated decisions or become the instruments for carrying out political tasks.

America is perhaps the only country whose bureaucracy does not fit the above description. The political system and the laws of the land allow bureaucrats along a broad swathe of the government at various levels to be politically appointed and thus to be politicised ab initio. The American President appoints about 6000 public officials in the Federal Government after assuming office and in addition nominates judges to the vacant posts in the Federal Supreme Court, Ambassadors in various countries and representatives to various international organisations and commissions. All these appointees have invariably explicit political affiliations with the party of the President (except the career diplomats). Likewise, in the States the Governors and in the City Halls, the Mayors make political appointments as a matter of routine and by force of law. This tradition, though called derogatorily as the "spoils system", nevertheless works in the public

interest most of the time, sometimes even with bipartisan participation because of possible adverse reactions from the rights conscious public. As a result, accountability and integrity among both elected and political appointed office bearers have evolved to a level and degree that preclude discrimination of constituencies, individuals and groups on blatantly political grounds. Even with this well-established and lofty tradition of accountability of public officials, distribution of patronage among financiers, party members or supporters are not uncommon. But people at large do not start a ruckus or become overly critical of such shenanigans because favouritism or cronyism does not take place at the expense of public weal. The political appointees do not, by and large, use double standard in providing services of

well. In normal times when the government goes about its business on day to day basis, non-partisan character of bureaucrats (in its broadest definition) ensures dispensation of services to all citizens irrespective of political affiliations. Unlike America, in a country like Bangladesh it cannot be taken for granted that public officials under political influence will not discriminate in favour of one group or individual in dealing with public resources and get away with such errant behaviour. This is so because of the lack of awareness about rights by the majority of the people, lack of access to higher authorities for redress of grievances or for the sheer absence of a neutral authority. Because rule of law in general and decision-making in particular cases can be thrown to the four winds by the politically protected public officials

public officials subliminally or bluntly with rewards, past and future.

In Bangladesh, do we have a politicised bureaucracy that can distort the normal rule based dispensation of services and also exert influence in times of election? The answer to the question depends on the answers to a number of other questions such as: (a) are the recruitments to various cadres of public service free from political interference? (b) is the recruiting authority constituted with people without political consideration? (c) are the important posts in various services from the headquarters to the field filled up according to well established procedures and norms? (d) are sensitive agencies like Election Commission staffed with persons of proven integrity, neutrality and do they believe in participatory decision making within the organisation? (e) what are the criteria for promotion and are these observed in fact? In order to find out the answers one has to look at the past and the present with the assistance and objectivity of a researcher. Since no such research has been undertaken one can only generalise based on anecdotal evidence. One such generalisation would be that there has been a slow but steady move towards politicisation of bureaucracy in Bangladesh. It is not a linear progression but the peaks and troughs reveal a discernible trend which is upward.

The process of politicisation started with Ayub Khan in Pakistan period when officials were appointed as ministers and governors and those left out fell over each other to be decorated with awards like *Tangha*, *Sitara* and *Hilal*. The process continued, albeit in a different form, after Bangladesh became independent and importunate officials were inducted into the higher echelons of the one-party system or made district governors. It is alleged that the subsequent martial laws in Bangladesh were unveiled with the active support and advice of quite a few senior civil servants who were duly rewarded later. In every regime of whatever political persuasion there has been no dearth of shrewd and ambitious officials who curry favour with the power that be for having prize posts at home and abroad or for obtaining scholarships after subverting the prevailing rules and superseding seniors with better records. These self-seeking public servants do not have any

permanent allegiance and change their colours promptly looking at the political weathervane. Such crass opportunism is ignored by the Government of the time and even rewarded because governance has short-term goals. The truth is, bureaucrats have always loved to be politicised, whether in service or out of service and it did not (and does not) matter by which party they are being anointed. It is predatory expediency, pure and simple. Over the years, the bureaucrats have invented various ways of ingratiating themselves with the politicians. One is to revive old school network. The other is establishing affinity on the basis of belonging to the same district or thana. Yet another is to discover a familial relationship, however distant. But the most powerful means of being politicised is to enter into a Faustian bargain, bartering one's righteousness in exchange for rewards and gratification. The last is the most pernicious but has the force of the Odyssean Siren song. In Bangladesh, all these have been pressed into service with vigour and determination.

Once the politicians come to know of the yearnings for political affiliation among public officials they will gladly take them on board as has been the case so far. For this the bureaucrats are more to be blamed because they transgressed for the sake of self-aggrandisement and not for a noble cause in the first place. Such pliant officials cannot but be welcomed by politicians. Politicisation thus has become a double-edged sword. Politicians find it advantageous to have politicised public servants and the latter anxious to jump the queue or trump the meritorious manoeuvre to be politically baptised. The result is mediocre, inefficient, dishonest and unprincipled public service that fails to promote the greatest good for the greatest number. Since the polity is not orchestrated for such players or combination of players chaos and turmoil can become endemic destabilising the state. Only those with a grand vision and steeped in the ethos of democracy will spurn the opportunist and self-seekers among the public officials. We may not have many of their ilk at present. Besides, the temptation to tempt the officials is too strong to cast aside. In the short term both the politicians and the bureaucrats who sign the compact of convenience, gain in their own ways. The public at large suffers. The future of democracy? Who cares and why should one? Didn't Keynes say that in the long run we are all dead? One does not have to be an economist to understand its meaning.

## IN MY VIEW

Hasnat Abdul Hye



routine nature to the public based on political exigencies. But when major political interests are at stake they feel obliged to take sides as the judges in the court in Florida and the Secretary of State did. It will be very unusual and extremely exceptional if the myriad of state officials in Florida involved in the election process were appointed by a governor who not only belongs to the Republican Party but is also the brother of the Presidential candidate from the same party. It can be reasonably presumed that the post-election chaos and confusion confounded worse by acrimonious allegations and counter-allegations of irregularities are the inevitable outcome of the politicised bureaucratic system. To put differently, the political turmoil raging in America now over the issue of presidential election reveals the fault-line of an overwhelmingly politicised system of governance.

The most important lesson in the on-going unsavoury political spectacle in America for countries like Bangladesh is the overriding need to keep bureaucracy at all levels, comprising all services, above politics. This is required not only for free and fair election but for equitable governance as

cial with impunity. Politicisation of bureaucracy strikes at the very root of public services. In a resource poor country lacking in basic needs and inadequate enjoyment of fundamental human rights by the majority such politicisation can cause greater deprivation and more frequent violation of rights for the disadvantaged and the politically "disenfranchised." In such countries the bottom line of safeguarding public interest is not always ensured by public officials because the fear of judicial action or protest by the community is more or less absent. The silent suffering of the public is due to their lack of recourse to law (arising from ignorance about rights or lack of resources), intimidation by political elements and an enervating feeling of resignation. The feeling of being neglected or discriminated is often assuaged at the time of election through manipulation by political workers and public officials because of their susceptibility to it or sheer helplessness. In the worst case, they are literally disenfranchised through fraud or by force. This description may be somewhat of a simplification but encapsulates the reality or the scenario of the ramifications of a politicised system that indoctrinates the

## Friday Mailbox

### Overseas employment of women

Sir, The front-page news item Manpower traders' delight in poor women's plight (DS, 29 November) caught my attention particularly when I read the sub-heading Ban on overseas employment of women as domestic help routinely flouted.

In tune with other human rights activists, I would like to lend my strong voice against ban on overseas employment of women. Where our government can neither employ women willing to earn nor provide them with alternative social security, they have no right to discriminate in exporting human resources. Since it is our government's policy to export manpower for earning revenue, the duty of our government is to see that it has sound emigration policy with proper implementation and effective monitoring. There is nothing wrong for our women to be employed as domestic help overseas provided our government takes adequate measures to inform the prospective women workers about their place of work and type of work expected.

The pitiful situation of our migrant women workers is primarily due to their blind trust on the recruiting agents who take advantage of their illiteracy and take arbitrary amount of money for jobs more than the actual requirement. So the problem is not so much with women going abroad for employment but with the system of our government in its open ended policy of exporting human resources.

On 15 November, in a day-long symposium on 'Labour Migration of Women from Bangladesh' organised by the Refugee and Migratory Movement Research Unit (RMMRU) many information emanated indicating reasons for women migrating for work and their sufferings in the hands of recruiting agents and their counterparts, at home and in the receiving countries respectively. It is high time that our government takes immediate steps to stand by such less privileged women, who are constrained to go abroad for jobs in expectation to bring about a change in the quality of their family member's lives.

Under these circumstances, I would like to make the following suggestions:

(1) The government should centralise in one particular office addresses of all registered recruiting agents;

(2) They should intimate through electronic mass media and posters the address of the centralised office having the list of registered recruiting agents so that all documented workers are channelled through any one of such registered agents, who would be traceable and be accountable in event of fraud by the counterpart agents in the receiving countries;

(3) Registered recruiting agents should have all work permits received by them from prospective employers abroad translated by authorised translators, who should give their names and addresses at the back of such work permits.

In brief, where export of human resources brings substantial income to the country, our government should have a transparent recruiting policy with information of appropriate expenses for different categories of jobs and also a monitoring system through a board with representatives from NGOs, human rights organisations and recruiting agents association. We have to take measures to stop our less privi-

leged women from being exploited and raise awareness campaign against unscrupulous practices of recruiting agents.

Mrs Z Rahman  
7/1 Hare Street  
Wari, Dhaka

### Too harsh on Azhar

Sir, The severe penalty meted out by the Indian Board of Control for Cricket (BCCI) to Mohammad Azharuddin, former Indian cricket captain and surely one of the world's most outstanding cricketers, is totally uncalled for and too harsh for the alleged offences. Azhar has been banned from the game for life and though at 38 years we know he did not have many more games left in him, he could at least have played his 100 Test match. Now, with this ban, he has been stranded on 99, a situation unprecedented and most unfortunate for his name.

Furthermore, in meting out the punishment, the BCCI should have taken into account Azhar's contribution to the game, as batsman and captain. Under him, India had a record of 13 wins in away Test matches something no other captain has managed to achieve. His personal style of playing cricket, his grit and determination, have all benefited the game and India's role in cricket. He has inspired countless youngsters. Now, his name will be tarnished and his good work will be forgotten. All the world will recall is that Azharuddin was banned for life. Surely, this is too serious a penalty to pay for a sportsman who had done so much for his country.

We all know that even if Azharuddin is truly guilty, he is not the only cricketer to be involved in these unsavoury activities. Pakistani player Salim Malik has also been banned for life and of course South Africa's Hansie Cronje, but others like Wasim Akram for instance, and several Australian cricketers, who have been implicated in scandals have been let off with warnings by their cricket authorities, in the best interest of the game. It would have been enough to punish Azhar by imposing a fine and if necessary, a one-year ban. This would have been enough to establish his guilt and to make us all realise that he had done wrong, but without destroying his past achievements or depriving the world of cricket of such a powerful role model.

A Citizen  
Dhaka

### Commercialisation of VIP names

Sir, The government may be pleased to inform the public what official steps have been taken to stop the commercialisation of VIP names. One such case was depicted in the DS report of Dec 3 on the front page.

It is a fallacy to presume that all persons in all groups, including numerous vested groups, are honest; therefore regulations are enacted and enforced for unscrupulous dealings, in public interest.

Unfortunately, according to current political culture prevailing in the society, politicisation has permeated into every area of the society, and it has become very difficult for 'normal citizens' to get anything done without backing and influence.

Has the ruling regime got the moral guts to show some tangible results before the next general election?

A Mawaz  
Dhaka

# Why is Pakistan Procrastinating the Apology?

In the end if we are tormented by our hatred for those who killed our people, they will be tormented by their accumulated guilt. And how do the Pakistanis plan to purge away the guilt of crimes, which is rooted in bloodshed? ... Someday the Pakistanis are going to hate themselves for their guilt.

France for having shielded Klaus Barbie, a Nazi collaborator. In the same year, the US congressional commission acknowledged guilt for the internment of Japanese-Americans during the World War

II. Earlier, Japan's Foreign Minister had apologised on behalf of the entire nation for the 1972 massacre carried out at Tel Aviv's Lod Airport by Japanese Red Army terrorists.

## CROSSTALK

Mohammad Badrul Ahsan



The saddest thing is that after the passage of nearly three decades and death of millions, we need to burn its flag to protest further insensitivity of a country whose army had treated us with so much cruelty and disgrace.

In most cases it worked. It has not only prevented the wound between nations from festering endlessly, but also been successful in binding those wounds at times. The post-war German government accepted responsibility for the Holocaust. The Japanese government apologised to the far-eastern countries for the atrocities of its armies in the Second World War. For decades, the Armenian terrorists attacked diplomats, airlines and embassies asking for a Turkish apology for the massacre of the Armenians in 1915. When the People's Republic of China shot down a British Airline in 1954, the Chinese took responsibility for the incident, explained that they had mistaken the airlines for a Taiwanese military aircraft, and offered compensation.

It may seem that sometimes the apology doesn't work. The Israeli commission on the killings at Sabra and Shatila concluded that although others had committed the crime, Israel bore a national responsibility for not preventing it from happening. But the conflict between the Palestinians and the Israelis still persists, while the future of these two nations ring hollow in the face of undiminished hostility. Then again, the apology didn't go in complete waste. It moderated the enmity between the two nations and paved way for the creation of the Palestinian State.

Forgetting is a biological necessity for nations like sleeping is for men, and it starts with apology, when the victimiser shows the humility to ask his victim to forget and forgive. If one generation of Pakistanis was irresponsible, why is it necessary to perpetuate that irresponsibility in the arrogance of posterity, which refuses to reckon with the mistakes of its ancestors? One still wonders what came upon that Pakistani diplomat who dared ridiculing our independence so close to the Victory Day. Was he testing us? Was he trying to see if we still lived in that gnawing past and was resilient enough to react to its defilement?

The saddest thing is that after the passage of nearly three decades and death of millions, we

need to burn its flag to protest further insensitivity of a country whose army had treated us with so much cruelty and disgrace. It shows that the anguish of that tragedy has settled in our psyche, like wreckage of a ship in the bottom of an ocean and that our national pride dives into our memory, when pushed, to return with bits and pieces of that wreckage from time to time. An apology cannot obliterate the fact that there was a shipwreck, but it can either clean up the ocean bed or discourage the divers from going down at the slightest instigation.

"I never apologise," says a character in *Arms and the Man*. If that is the stance Pakistan is taking, then it is trying to take pride at the cost of emotional havoc wrought upon us. Or, it probably feels self-righteous about its action in 1971 under the excuse of protecting the solidarity of a state, which was already destined to doom. Nations, like individuals, often have a problem with managing their pride. They do not realise that pride is about dignity, not arrogance.

Lest Pakistan didn't know, hatred is one side of the coin, which has guilt writ on the other. It is not for nothing that the guilty conscience manoeuvres towards exonerate because eventually the burden of guilt becomes unbearable. The American abolitionist John Brown had despaired on the day of his execution. "I, John Brown, am now quite certain that the crimes of this guilty land will never be purged away but with blood." When hatred persists in arrogance, the guilt escalates in the bizarre chemistry between regret and doubt.

In the end if we are tormented by our hatred for those who killed our people, they will be tormented by their accumulated guilt. And how do the Pakistanis plan to purge away the guilt of crimes, which is rooted in bloodshed? For those of us who want to ridicule the national anthem or abuse the gift of freedom enjoyed in a free country, they also need to ask themselves the same question with a twist. How do we plan to purge away the hatred, which is also rooted in the same bloodshed? Someday the Pakistanis are going to hate themselves for their guilt. If we keep talking about sedition and all that, who knows someday we might start feeling guilty for our hatred.