

Task force inquiry into DCC doings

Tackling institutional corruption is a priority

FOR a rather long time, allegations of corrupt dealings at DCC have been rife. Many have been the occasions when wrongdoing at the corporation came under the spotlight, especially through the media. Not that it has helped so far. In fact, the corporation has always remained under a cloud not only because of the corruption in it but also because of its clear failure to ensure good and purposeful services to citizens. Can we expect some dramatic improvement now that the Task Force is delving into DCC affairs?

As a provider of services to residents of Dhaka, the city corporation has unfortunately failed to prove capable of doing its job. A cursory survey of road conditions ought to be an illustration of its failings. Indeed, the general maintenance of roads that the DCC was expected to ensure has not been seen, to a point where a large number of city roads are today in a dilapidated state. If that is a sign of irresponsibility on the part of those who manage DCC affairs, there is another that speaks of dubious dealings in a number of areas. It has been seen that expenses have been incurred in the name of construction of new roads when in fact no roads were built. There is then the matter of other irregularities that have consistently given the city corporation a bad name. Rules relating to tenders have been violated with impunity in the last few years, purchases have raised questions about accountability and transparency and queries have arisen about the wrongdoing involved in the construction of flyovers in the capital. Last but not the least, unsavoury elements at DCC (and they all seem to form a chain from one end to the other) have regularly engaged in corruption at bus terminals and have even indulged in a commercialisation of graveyards.

One of the more potent of reasons behind the decline of the DCC has been the political influence brought into its working. While it is understandable that the mayor, ward commissioners and others are naturally politically oriented at any given time, it is the propensity of some of them to turn the corporation into an office of unbridled profit-making that is of concern. Which leads us to the view that bringing the DCC under a task force inquiry may be a good way of turning things around. However, even as we expect professionalism, indeed reforms, to come into the working of the corporation, we will hope that the routine work of the DCC will remain unaffected in the course of the task force inquiry, in the interest of the public. Overall, it is institutional corruption that must be tackled seriously. Looking into the working of the DCC and, earlier, Rajuk is a hopeful beginning.

Badiur's exit

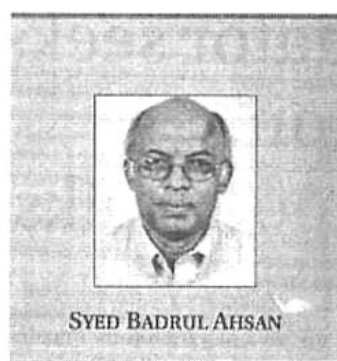
A dignified act leaving a little more to be desired

WE have mixed reaction to ex-chairman, National Board of Revenue, Badiur Rahman's dramatic response to his being transferred out of NBR to Ministry of Food and Disaster Management as its secretary. Rather than accepting the new posting order which he thought was unceremonious as he was not given an inkling of what was to come, a courtesy deserved by a senior officer, he has sought voluntary retirement on crossing the 25 years of service threshold.

We commend his moral stance of choosing early retirement. With few years still to go in government service he sets a rare example of dignity and personal esteem to leave on a point of principle. It was courageous for him to have done so, especially when we are used to seeing senior bureaucrats shamefully lobby for extension. However, there is a question in the public mind whether he should have done it with a greater suave and sensitivity. There are certain norms that government officers are expected to abide by. A government has transferred him 'in public interest' and he could have done the same thing -- sought an early retirement -- without so much as creating a stir in public making some of the remarks he made about 'not pleasing his masters' etc.

He has done some good work; revenue collection was on the up. He reflected a sense of purpose, but the credibility he otherwise should have enjoyed seems to have been compromised by some occasional abrasive comments he would make to the press. He apparently failed to distinguish habitual and willful tax evaders from those who were unwitting defaulters. His occasionally sweeping and intimidating remarks left a bad taste. If only he would have handled his job with a greater finesse and sensitivity, he would have got the accolade he deserved and the dignity he eventually upheld would have been his hallmark all throughout his tenure.

The state, the law and the absurd



SYED BADRUL AHSAN

WHEN a magistrate, lately hailed for the zealous manner in which he has pursued food related crime, suddenly expresses his readiness to be jailed or hanged, you are left mystified. And you ask yourself if everyone around you is losing control over his own sentiments. Or could it be that it is you who have been falling behind in all this demonstration of desperation, typified by those ready to reveal their readiness to sacrifice their lives on the altar of something that does not really mean anything?

Magistrate Rokonuddoulah did not stop at thoughts of his own hanging. He went on to ask his colleagues in the administration cadre to put the brakes on an entire country should anything happen to him. Now, that was certainly drama. But it was in poor taste.

And taste, if you have noticed, was clearly lacking in the way in which the administration cadre sought to defend its own narrow interests in light of the recent move to have the executive branch of government de-link itself from the judiciary at all levels. All sorts of bureaucrats were there to make known their

GROUND REALITIES
If the government can charge politicians with corruption and haul them off to jail, if it can punish crooked businessmen through locking them up, if it can detain academics on the charge that they have contributed to the making of a crisis on the campus, it might as well take action against government servants who forget the rules of service, forget the provisions of the Constitution and forget the sanctity of judicial decisions.

intense displeasure at the separation of the judiciary from the executive.

You wish you had some way of looking at the complaints of these men with equanimity. You cannot, for what these men were doing, in clear defiance of the Constitution and in obvious contempt of the Supreme Court, was simply reinforcing our collective belief that much of the trouble we have had in statecraft has had to do with the bureaucracy.

When, months ago, a group of civil servants gathered at the business office of former energy adviser Mahmudur Rahman, we roundly and rightly condemned their behaviour as one that gave off the odour of things sinister. And we still wait for the government to inform us if and when those men, many of whom scurried away from Rahman's office once the media confronted them, will be tackled under the law of the land.

There are certain truths that you cannot ignore. If you are going with so much of zest and exuberance after politicians and businessmen, for all the right reasons in the world, you cannot tell the country that there are some other people who remain above the law, who, therefore,

cannot be touched. These men who converged at the Bangladesh Institute of Administrative Management (Biam) on Sunday have left little doubt in the public mind that they are willing to challenge the court, and indeed the state, in a furtherance of their collective clannish interests.

They have drawn flak from every decent, law-abiding section of society. Kamal Hossain, Amirul Islam, Khondokar Mahbub Hossain and others have, like the rest of us, made it known that these bureaucrats have not only defied the state but have also thrown down the gauntlet before the country, in the expectation that the government and the Supreme Court will retreat on the judiciary separation issue.

It is defiance that must be met with the full force of the law. Law Adviser Mainul Hossain initially cheered us when he described the attitude of these administrative cadre elements as an act against the law. He ought to have held on to that position. He did not, when he agreed to talk to Abu M. Moniruzzaman Khan and his band of civil servants on Monday.

He gave out the clear impression that the government was willing to listen to those who violate the law and, indeed, may

even be ready to pacify them. That would be a disastrous position to take, for it would be reflective of a government ready and willing to render itself weak under pressure. When government succumbs to pressure from those who by law are its employees and servants of the state, it is condemned to seeing a goodly portion of its moral basis being stripped away.

So what do we need to do now? It is a simple answer we have on offer: nothing, absolutely nothing, must come in the way of the programme for a separation of the judiciary from the executive. That again means taking a clear, unambiguous stand against the men who, at Biam, tried to hustle the government and the Supreme Court into a retreat over the issue.

There is more that the authorities should be doing here. And that ought to come by way of initiating administrative proceedings against those who organised the conference of these bureaucrats, those who took part in them and those who spewed fire and venom at the move for judicial independence. Let there be no leniency shown here, despite the presence of some well-known figures at the gathering. Abdul Muey Chowdhury did not make the country happy

by being there.

Rokonuddoulah's threat to shut the country down, should anything happen to him, did not go down as a revolutionary call but as a defiance of the state. Abul Hossain's role in organising the meeting needs to be thoroughly investigated.

There is a clear and present danger in ignoring the damaging role the bureaucracy has played in subverting democracy and the rule of law since the Pakistan era. When Bangabandhu Sheikh Mujibur Rahman inaugurated Baksal in 1975 (opinion on that of course depends on how you look at it), a clear objective was a bringing of the civil service to heel through making it unquestionably subservient to political authority.

That, unfortunately, was the first and, so far, the last attempt to put the civil service in its place. Since the end of the Mujib government, bureaucrats have been coming back to the centre of things with increasingly warlike whoops. The Ziaur Rahman and Hussein Muhammad Ershad dictatorships, like any other dictatorship anywhere, were seasons in the sun for civil servants used to treating politics with contempt since men like Altaf Gauhar began to pay obeisance to shallow, arrogant men like Ayub Khan.

In the years of the last administration led by Khaleda Zia, callow, young bureaucrats left the system reeling from their endless exercise of opportunism. And now has been flung this brazen, unabashed challenge to the government by the administration cadre, an act which leaves the country wondering at

the degree to which the republic has been turned into a plaything of the vested interests lurking in alleys and woods all across the country.

The outburst by the administrative cadre must not be treated lightly. These men, who have with impunity challenged the government they serve, should not be treated as little boys who have made a mistake and so can be forgiven. And the clear defiance of the Supreme Court move toward judicial independence that has come from them calls for a swift response.

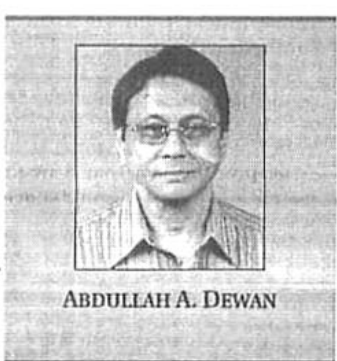
Mainul Hossain has erred in talking to these men. Let there be no second error. Let the perception not take shape in the public mind that the government is, or soon will be, on the back foot over the judiciary issue only because some unruly civil servants have threatened to cause the heavens to collapse on our heads.

If the government can charge politicians with corruption and haul them off to jail, if it can punish crooked businessmen through locking them up, if it can detain academics on the charge that they have contributed to the making of a crisis on the campus, it might as well take action against government servants who forget the rules of service, forget the provisions of the Constitution and forget the sanctity of judicial decisions.

The state is not the theatre of the absurd. And government servants must not be there to provide comic relief to us as we go about trying to restore the moral balance in our collective life.

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Living in pre- versus post-1/11 era



ABDULLAH A. DEWAN

THE actions of the administration cadre, opposing separation of the judiciary days before the November 1 implementation day, should be seen as a barefaced example of people who want to live in the pre-1/11 days of Bangladesh. "We cannot push the country towards anarchy in the name of independence of the judiciary," Magistrate Rokon-Ud-Doula said, as if the people already forgot the pre-1/11 anarchic days. His argument that it was not possible to implement a meaningful separation of the judiciary before 2021 is sheer nonsense.

Although, a negotiation between the Bangladesh Administrative Service Association (Basa) and the law adviser apparently removed the

NO NONSENSE
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obstruction to separation of the judiciary on November 1, the incident needs a postmortem to punish the culprits so that such antagonism never resurfaces.

Basa handed the law adviser a seven-point recommendation that includes removal of "discrepancies" in the process of absorption of the judicial and admin cadres into the judicial service, giving them some magistracy power. Couldn't they do this a long time ago instead of waiting until the last few days prior to implementation of the process? The CTG mustn't yield to their pressure and, in the process, make the judiciary separation half-hearted and weak.

It was reported that the Basa leaders regretted some of the officials' "objectionable" statements on Sunday. That was the right thing to do. But that doesn't exonerate them from their misdemeanors and violations of service codes.

In such situations, there should be zero tolerance, reminiscent of what happened with university teachers in connection with the recent campus protests. All violators of the state of emergency and the service rules must be dealt with as per the law.

It is one thing to advance your grievances in a lawful manner -- it is altogether a different ball game when an enforcer of the law, Magistrate Rokon-Ud-Doula, calls for shutting down the administrative operations of the state if the government brings legal recourse against his alleged misconduct.

Failure to take any disciplinary action against such acts would simply mean that the government is afraid to take punitive action against him and his accomplices -- which may encourage others to dare to carry out such violations.

The administration cadre has

absolutely no legal basis for opposing the separation of the judiciary -- a prerequisite to good governance and rule of law demanded by the nation since its independence. These power hungry cliques are not concerned about what the people of the country are going through -- recurrent floods, unabated price spiral, chronic unemployment. The demand for separation of the judiciary is not a creation of this CTG -- it is a long unfulfilled aspiration of the people of the country.

The protest gathering, in the guise of a seminar on good governance, against the scheduled separation of the judiciary would certainly make the CTG rethink what would happen to law and order should the state of emergency be lifted, as is demanded by the political parties of the country.

Inviting officers from all over the country for a seminar on good governance, they trans-

formed it into a rally of rebellion against the state and the government. Their gathering made it obvious that the administrative cadre was the reason why the immediate past government delayed the implementation of the judiciary separation under various pretexts nearly endlessly -- 25 times by my count. In the process, the BNP-Jamaat alliance government pursued the perverted policy of politicising the judiciary.

Why did the administrative cadre demand the postponement of the separation of the judiciary until the return of an elected government? It is because they know that they could twist the arms of the political government to scrap, or at least delay, the implementation process for years to come -- may be forever.

They realised that they were losing power -- while the people were gaining power. They're crying foul -- while the people, at long last, are cheering happily. So they made their desperate bid to somehow hang on to the pre-1/11 era of the devilish rule of law. But that won't happen.

Why they wanted to revert to the pre-1/11 politicised judiciary and ill-governance is inexplicable. The country is moving

forward in the post-1/11 era by establishing the rule of law through reforming the ACC, PSC, EC, and the police -- the most important one though is the independence of the judiciary. Thank God that good sense finally prevailed, and the beginning of the independent judiciary on November 1 will mark a historic day for the nation. Finally the aspirations of "equality of everyone in the eyes of the law" shall be upheld without any fear or favour.

However, those who violated the law and the state of emergency should be treated as harshly as those who engineered the recent campus protests in Dhaka University and elsewhere. Those who distributed leaflets and cheered the magistrate's fiery speech must be identified from video footage and be disciplined for their explicit acquiescence with him.

To establish the rule of law and good governance, law enforcers must be steadfast and move forthwith to round up the violators of the law. To establish the rule of law there mustn't be any complaisance or compromise -- or deviation from zero tolerance.

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Gale warning, global burden sharing

All in all, this augurs a major shift in political power and economic clout. Burden sharing will move to top spot of the global agenda. All nations will attempt to emerge from this "battle" by shifting the burden to other nations. Not all can be winners. National delegations will mobilise political and, to a certain extent, military power to show the other side that there is much to lose.

JOERGEN OERSTROEM MOELLER

THE cards are on the table; the world is warming up to the most brutal economic confrontation seen in many decades, perhaps centuries.

Simultaneously, four issues require answers. All have severe repercussions for distribution of global income, and in all four cases, the solution, if any, will reverberate through the global economy, real-locating economic power and political clout: global warming, rising agricultural prices, water shortage and, probably, but less certain than the other three, rising raw material prices, in particular oil.

Almost everybody agrees that something must be done to stop or, if possible, roll back global warming. Unfortunately there is corresponding disagreement on how to do it and who should pay the bill.

The rich countries are the worst sinners, but the growth rate for emissions is manifold higher in newly industrialised countries, blurring the game. The rich countries grudgingly admit that the largest burden is on their shoulders, but their willingness to pay is a far cry from the expectations among the less rich countries.

Developing nations fear global warming will be used as a racket to hold them back, an excuse for imposing restrictions or financial burdens. Hardening this standoff is a global shift of competitiveness in favor of newly industrialised countries; established manufacturing countries are wary of repercussions on competitiveness and dread surrendering control over the global economy to newcomers like China and India.

Economists float the idea of selling rights to emission targets. In theory, it looks fine. Certificates are

put on auction, and firms win the right to "pollute" with the highest bid. If we accept the principle of the market mechanism, the highest bids should come from those representing the largest purchasing power, guided by the invisible hand.

But this is a misleading description. Such mechanisms favor existing industries with capital to make the highest bid. The blunt fact is that the plan would preserve industrial structure, complicating any reallocation of production among countries. The rich countries and their industries possess the capital to bid and would win auctions and the right to produce.

Emission ceilings would constitute a barrier for rising production in the less rich countries, freeing the world's economic structure for a long time. The plan would reverse traditional policy of helping infant industries with temporary mea-

sures to overcome initial hindrances. In theory, the playing field is level; in practice, it's skewed in favor of established producers.

Another proposal -- converting agricultural land or forests into crops suitable for bioethanol -- has similar flaws. Two are obvious: First, converting forests risks elimination of large forest areas, wiping out the "lungs" of the world, ultimately worsening instead of improving global climate. This can be seen in Southeast Asia where a country like Indonesia has embarked upon such a course to produce palm oil. Second, an inevitable consequence of increasing bioethanol crops is a decrease in agricultural products.

The world is already on a collision course for rising food prices, favored by very few. As formulated recently by Lester R. Brown of the Earth Policy Institute before the US Senate Committee on Environment and Public Works, a contest is underway between 800 million people sitting behind a wheel in their car, many obese, and 2 billion people who struggle to make money for their daily food, many malnourished.

The UN forecasts that in 2016,

less than 10 years from now, people in developing countries will eat 30 percent more beef, 50 percent more pork and 25 percent more poultry. Such production requires increasing inputs of grain, even as the world's stocks are at the lowest levels in 30 years. This equation can be solved only by steeply rising prices for grain and meat.

Global warming changes the pattern of food production; many of the well-known food-basket areas will be subject to climate change, dramatically modifying the production outlook. Even with cases of large countries spanning several climate zones, agricultural production will likely not take place in the same locations, calling for investment, mobility of labor and new infrastructures.

Water shortages, irrespective of global warming or not, aggravate this dismal picture. China, already threatened by water shortages, confronted a choice on allocating water to rural districts and cities. Apparently urbanisation and industrialisation won out, and the obvious consequence is China has been a net importer of food since 2004. Over the last year or so, drought in Australia has emptied

the country's most propitious agricultural areas.

The water shortage may, like other shortages, be solved by higher prices, which would lead to higher food prices. In some cases where rivers flow through several nations -- the Mekong River, the Jordan and the Nile -- nasty negotiations about water rights may destroy prospects for regional cooperation and, in some cases, lead to armed conflict.

The fourth factor, rising raw material prices, is less certain. Manufacturing increasingly demands more input, but technology diminishes input per unit of any final product. The same trend can be seen with oil: Higher energy efficiency and switching to other sources may stop further price increases. No one knows for certain the impact of rising manufacturing versus more efficiency, but newly industrialised countries offer tremendous potential for savings per unit.

As a rough estimate, China has improved its energy efficiency three times since 1980, but still has one third of the efficiency of the US and one fifth of Japan's efficiency. India figures are a bit lower than

China's, but improve at a slower pace. (India is slightly more efficient than China)

All in all, this augurs a major shift in political power and economic clout. Burden sharing will move to top spot of the global agenda. All nations will attempt to emerge from this "battle" by shifting the burden to other nations. Not all can be winners. National delegations will mobilise political and, to a certain extent, military power to show the other side that there is much to lose.

There will be two obvious losers: First, poor people primarily in developing nations, but also in the US, struggling to foot daily bills. The increasing inequality within nations, visible for the last two decades, will be deeper, aggravating social and political tensions. Questions from the poor about benefits flowing to them from economic globalisation will grow louder, sharper and bitter.

The second group is nations with agricultural production in one of the climate zones no longer suitable for agricultural production. Several major food producers are already fragile, vulnerable to even small alterations in tempera-

ture or rainfall.

This ugly fight will continue for the next decade, maybe longer. It may overshadow many present conflicts and create new ones. Confrontation between established and rising powers over rights to use resources will last for a foreseeable future -- the rest of this century, maybe longer.

Compared with similar transitions of power from established powers to rising powers -- the UK to the US, the German challenge in the first part of the 20th century -- this distributive fight revolves around shortages regarding food, water, clean air and maybe raw materials. Hitherto, we witnessed distribution of benefits, now we face burden sharing.

It is the first time in history that the world confronts a battle over income distribution. Transferring the burden to a group of underdeveloped countries, as was so convenient many times over the past centuries, cannot solve the equation.

The stakes are staggering.

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