

Stricter legal framework for private universities?

It should solve problems, not create any

EDUCATION Minister Nurul Islam Nahid has given to understand that a bill is in the works to formulate strict rules and regulations for setting up and working of the private universities. For all we know, private universities have been governed under the Private Universities Act, 1992 as amended in 1998.

The question is what were the shortcomings of the existing legal framework that warranted enactment of a new one? Evidently, there were lacunae in the existing act, otherwise how can one explain the existence of private universities without adequate facilities for higher education and the right kind of environment, given more to commercialisation rather than establishing centres for higher learning. As a matter of fact, the increasing demand for higher education is being taken advantage of in a wrong way by a breed of self-styled educational entrepreneurs who set up virtually signboard institutions without well-equipped laboratory and library, enough classrooms with educational aids, qualified teachers and space for interaction and recreation. Yet, they enroll students right, left and centre and dish out degrees that are hardly of regional, far less international standards.

At the same time, we have had some excellent private universities which have been competently catering to the needs for higher education of growing number of aspiring students who can't all be absorbed in the public universities. These are even providing alternatives to students who would otherwise have gone abroad for education. And, the meritorious among the turnouts from such good universities are servicing the upper end of the job market.

Just as there is the need for encouraging more of such good universities to scale newer heights so also is there an imperative to weed out the bad apples. Of course, there is an issue here for having an accreditation council to evaluate and standardise the syllabi and performances of the private universities to bring them at par with private universities around the world. There is also the question of rationalising the fees to provide greater access to aspiring students from differing socio-economic backgrounds. The private universities have a role in guaranteeing right to higher education for as many as possible by co-sharing the state's responsibility to be doing so.

The point we are trying to drive at is that the spontaneous growth of the better breed of universities should not be even unwittingly impeded by being too regulatory with them. As we see it, an update of the existing laws is necessitated to address the problem areas, do it by all means; but do make sure that in the name of driving away old problems we don't end up creating new ones.

The unheeded HC directives on lake reclamation

Rajuk's inaction amounts to legitimising encroachment

THE prospect of restoring the lakes in the city's Gulshan, Banani and Baridhara areas to their original position seems bleak, as Rajuk has decided to conserve only the submerged areas without upsetting the latest shorelines created by continuous encroachment.

It is not clear why Rajuk is not following the High Court directives on recovering the lost lake land. In July last year, the Court asked Rajuk to survey the lakes and publish a list of illegal occupants. However, nothing has been done in this respect of both. Obviously, Rajuk's plan of working on the latest shorelines, leaving the encroachers in peace, amounts to legitimisation of the unholy scheme of land grabbing. It is also an unconditional capitulation to the land grabbers who have managed to get prime land at the cost of two beautiful lakes. This encroacher-friendly policy is in clear contravention with all wetland laws, not to speak of the HC directives. Such spinelessness in dealing with encroachers will set bad examples, to say the least.

The fallout of allowing the grabbers to get away with land is not hard to predict. The encroachers will feel even more confident and the practice of preparing fake land documents will be further encouraged.

Rajuk appears to be convinced that some of the owners of the filled up land are genuine claimants. However, it is not obvious how such land could be filled up without Rajuk's permission. Rajuk has to take note of the High Court directive that the legal and bona fide owners of land in lake areas be given due compensation. What is not acceptable here is to allow the landowners possessing fake and dubious documents to go unpunished, only because some owners might be genuine.

The city development authority has conveniently decided not to disturb the status quo. It is not known how the illegal occupants of lake land, and there are many, could influence Rajuk's decision making process and force it to take such an inexplicable position on land recovery. Obviously, Rajuk has full support of the country's highest judiciary in its mission of land recovery. So, why are things going wrong?

Political will of the government will have to be brought to bear on the issue of land recovery. Since the HC orders are all for corrective and determined action, the government should not find it difficult to deal with the encroachers. Determined and quick action is needed to dislodge the grabbers of lake land.

How good is good enough?

Looking at the matter in a more down-to-earth manner, good governance is in fact good management that would ensure security of the people; and if people are secure so will be the state. Thus, it will never do to be satisfied with the second best.

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GOVERNANCE has been characterised as exercise of power and making decisions by a group which, in a democratic dispensation, happens to be the elected government. It is omnipresent in all segments of the society and the welfare of a community depends on the choices made by the people granted this authority. There are various actors who, by virtue of the position they hold, arrogate to themselves the power to govern.

Security in its comprehensive sense is premised on three factors: one is the traditional security emerging from statist discourse, but security of the people that can also come from economic progress and good governance and rule of law; these three things, working together, are really what determine security.

One of the views that was forcefully articulated at a seminar on "Good Governance and National Security" recently was that it was well nigh impossible to attain an ideal state of good governance and as such we should be satisfied with the second best option, that is "good enough governance" rather than trying to attain the ideal state.

The fact that there is an inextricable link between security and good governance, since bad governance or failure to govern properly will inevitably adversely impact the wellbeing of the people, and in turn the security of the state, it will be risky to accept anything less than good governance.

And if we go for the second best the question is how much of "enough" will be good enough for the government to deliver to its people. One feels that

although the position, that one will not be able to achieve the maximum, might be a realistic view given the centrifugal forces acting on all the agents of change, one would like to ask who will determine as to what is the optimum level.

Governance issues predominate our existence today. It is a catch phrase for our development partners. For the developing countries, anything and everything that is donor driven has to fulfill the criterion of good governance. In fact, the idea has reached such a phenomenal proportion that tomes have been written to define what good governance is.

The IFIs, the UN and EU have spent considerable effort and time to secure the assurances of the developing countries to understand their formulation and explication of the term "good governance" as well as to undertake such measures as would ensure that those conditions are fulfilled, to qualify for aid. And why not, those that provide money for various development programs would want to know how well that is being utilised. And that is crux of the issue -- doing it well -- is a function of good governance.

Leaving aside the developing countries, good governance is an enabling condition, which claims universality in application irrespective of the level of development, and which enables governments to ensure that quality of life of its people which would rule out the possibility of unrest and violence. That in turn would ensure peace and security, at least in so far as the internal manifestation is concerned.

It must be emphasised that good governance is not entirely about wielding power. Neither, by the same token, is there a direct correlation between



How can their security be guaranteed?

economic strength and security. But interestingly all the definitions propounded by the international institutions and other scholarly studies converge on the term as referring to a process by which power is exercised.

There are many examples in recent times where lack of good governance has resulted in terrible consequences for the state. To quote Chris Patten, of the seven states, out of the top ten that appear in the list of states facing the greatest risk of failure, are in Africa, and all have come to this state due entirely to the consequence of bad governance.

Security is inseparable from good governance, since good governance helps prevent conflicts and ensure peace. The link had been spelled out more than 200 years ago by Kant who said: "People who feel secure and free, governed by the rule of law and not of men, are much less likely to go to war with each other -- either within or across borders -- than those who don't." And while looking at security we

forget all too often that at times the state can itself be a cause of its insecurity.

Even the lone superpower, the USA, has been constrained to acknowledge the predominant role of good governance in conflict resolution when the US national security advisor admitted very recently that the solution of the Afghan crisis lay not in military victories but in delivering to the people their basic needs through a regime of good governance.

Looking at the matter in a more down-to-earth manner, good governance is in fact good management that would ensure security of the people; and if people are secure so will be the state. Thus, it will never do to be satisfied with the second best. The aspiration should be to strive for absolutely good governance that fulfills all the universally accepted criteria.

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Don't scramble the jets

It is important to recognise the magnitude of what people like Sarah Palin are advocating. United States is being asked to launch a military invasion of a state that poses no imminent threat to America, without sanction from any international body, and with few governments willing to publicly endorse such an action.

FAREED ZAKARIA

SARAH Palin has a suggestion for how Barack Obama can save his presidency. "Say he decided to declare war on Iran," she said on Fox News last week. "I think people would perhaps shift their thinking a little bit and decide, well, maybe he's tougher than we think he is today." Such talk is in the air again. Palin was picking up the idea from Daniel Pipes, a neoconservative Middle East expert who suggested a strike would reverse Obama's political fortunes. (Actually, Palin attributed the idea to Patrick Buchanan, but obviously entirely misread Buchanan's column, which opposed Pipes's suggestion. It's getting

tiresome to keep pointing out these serial gaffes, but Palin does appear to be running for president.)

The International Atomic Energy Agency warned last week of its "concerns" that the Iranian regime was moving to acquire a nuclear-weapons capability, not just nuclear energy. But this does not change the powerful calculus against a military strike, which would most likely delay the Iranian program by only a few years.

And then there are the political consequences. The regime will gain support as ordinary Iranians rally around the flag. The opposition would be forced to support a government under attack from abroad. The regime would foment and fund violence from

Afghanistan to Iraq to the Gulf. The price of oil would skyrocket -- which, ironically, would help Tehran pay for all these operations.

It is important to recognise the magnitude of what people like Sarah Palin are advocating. United States is being asked to launch a military invasion of a state that poses no imminent threat to America, without sanction from any international body, and with few governments willing to publicly endorse such an action.

Al Qaeda and its ilk would present it as the third American invasion of a Muslim nation in a decade, proof positive that the United States is engaged in a war of civilisations. Moderate Arab states and Muslim governments everywhere would be on the defensive. As Washington has surely come to realize, wars unleash forces that cannot be predicted or controlled.

An Iran with nuclear weapons would be dangerous and destabilising, though I am not as convinced as some that it would automatically force Saudi Arabia, Egypt, and Turkey to go nuclear as well. If Israel's large nuclear arsenal has not made Egypt seek its own nukes -- despite the fact that the country has

fought and lost three wars with Israel -- it is unclear to me why an Iranian bomb would.

The United States should use the latest IAEA report to bolster a robust containment strategy against Iran, bringing together the moderate Arab states and Israel in a tacit alliance, asking European states to go further in their actions, and pushing Russia and China to endorse sanctions. Former secretary of state James Baker suggested to me on CNN that the United States could extend its nuclear umbrella to Israel, Egypt, and the Gulf states -- something that current Secretary of State Hillary Clinton has hinted at as well.

At the same time, Washington should back the Green Movement, which ultimately holds out the greatest hope for a change in the basic orientation of Iran's foreign policy. It remains unclear how broad or well organised this movement is, but as a matter of long-term strategy, we should support groups that want a more modern and open Iran.

Can we live with a nuclear Iran? Well, we're living with a nuclear North Korea (boxed in and contained by its neighbours). And we lived with a nuclear Soviet Union and communist China.

Iran, we're told, is different. The country cannot be deterred by America's vast arsenal of nukes because it is run by a bunch of mystic mullahs who aren't rational, embrace death, and have millenarian fantasies. This was never an accurate description of Iran's canny (and ruthlessly pragmatic) clerical elite. But it's even less so now.

The most significant development in Iran has been the displacement of the clerical elite by the Revolutionary Guards, a military organisation that is now the centre of power.

Clinton confirmed what many of us have been pointing out over the last year and warned of an emerging "military dictatorship" there. I'm not sure which is worse for the Iranian people: rule by nasty mullahs or by thuggish soldiers. But one thing we know about military regimes is that they are calculating. They act in ways that keep themselves alive and in power. That instinct for self-preservation is what will make a containment strategy work.

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The next target?