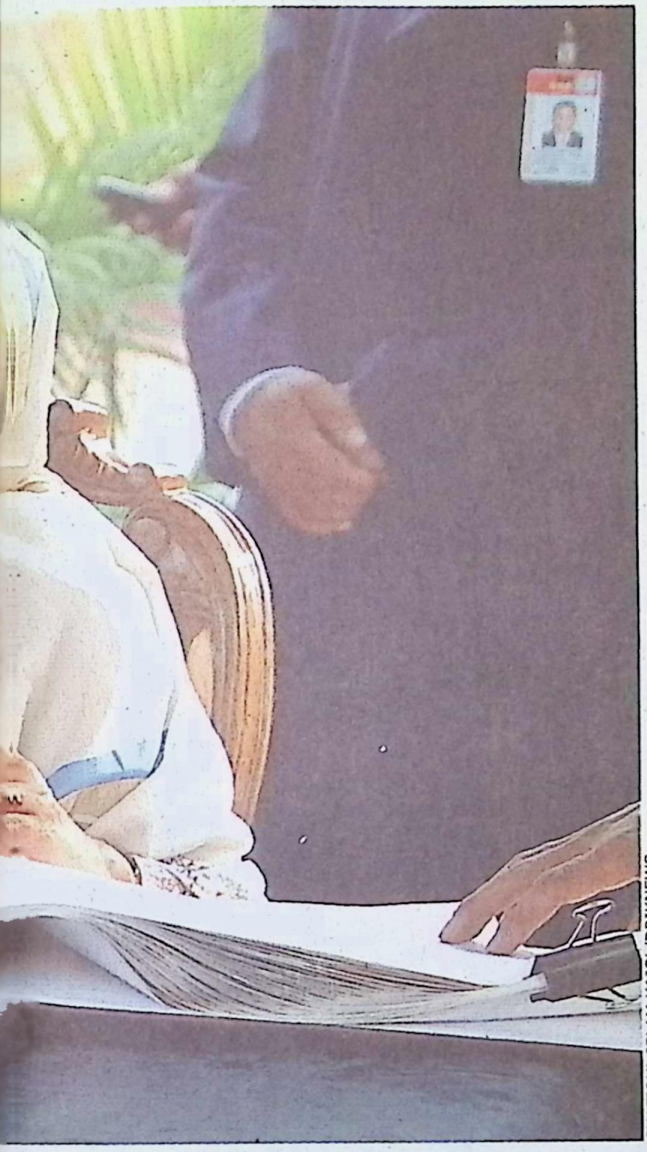


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issue that stems from an apparent conflict between the status of the executive and that of the judiciary. We understand and believe in the supremacy of law, but the question is: Does the existing WoP violate the principle of the supremacy of law? It needs to be mentioned that chief justice of Bangladesh is placed 4th after the rank of the president, the prime minister and the Sspeaker of the parliament. So, to me, judicial supremacy is duly upheld, of course, above the bureaucracy in the current WoP.

But here I want to pose a different question: Where did we place teachers and business community in the WoP? Are university teachers less important in the eyes of nation even though they border on the same pay structure of the judicial and executive branch? Bureaucrats serve the state and judges ensure justice within the state. So, it is necessary to give them their due status. But we should not forget the contribution of teachers who educate our citizens and install a sense of civic pride and cohesion. And what about the business community which is relentlessly trying to bring economic development to the country. Where do we rank them in the current WoP? There is no place, unfortunately, for business leaders or commercially important persons (CIP) in the WoP.

For university teachers, professors of selection grade ranked 19th out of twenty-five under the current WoP, and professors of universities were 22nd similar to the status of joint secretaries and much below the level of a full secretary who is ranked 16th. Additional secretaries are placed 20th and if additional secretaries and joint secretaries can make find place in the WoP, why can't associate and assistant professors get their due place in the WoP?

Who will Exercise Sovereign Power?

This is a million dollar question and political scientists have dissented on the issue of the location of sovereignty. In a democratic system it is especially difficult to locate sovereignty. Three organs habitually work in unison and avoid undue intervention. Whatever it may be, whether it is parliamentary or presidential form of government, the president is the ultimate guardian of the state; he has the highest executive authority and exercises much of its sovereign power.

The work of the definition of the WoP falls within the periphery of the executive branch of the state. Ideally the HC should not interfere in the issue, which lies exclusively within the spheres of the executive. The verdict thus brings the judiciary and administration to a loggerhead. Experts of public administration believe that the reconfiguration of the WoP should not take effect with the iron hand of high court ruling which would probably lead to resentment between two important organs of government. If necessary, the parliament should amend the WoP and not the president.

In a recent study, the Institute of Government Studies recommends a change in the WoP. It writes: "Changing the rank status in warrant of precedence may be done by the Cabinet Division of the government by issuing an executive order." (The Public Service Commission: Policy Note, January, 2008). We hope the organs of the state will function in a cooperative manner and the judiciary should enjoy supremacy over all organs in terms of status while the executive should possess the sovereign power in its ultimate sense.

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