



LOCAL GOVERNMENT AND LOCAL GOVERNANCE

Issues and challenges

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HE Concept and practice of state, government and governance have constantly been changing phase and face both with the change of time. The changes from monarchy to republic, authoritarian and autocratic to participatory and democratic, totalitarian to pluralist and all encompassing centralized to decentralised, welfarist and responsive to citizen- changed the nature, dimension, forms and functions of modern states to a revolutionary proportion. All these changes brought enormous transformation among the organs and organisations within the state and a prominent and distinct space for Local Government Institutions (LGIs) leading to a new concept "local

endless experiments and benign neglect. A new dawn has been ushered with the promise of 'change for better future' after a free, fair and credible national election in 2008. Some of the issues and challenges the LGIs face are furnished below for consideration of the government that hold unprecedented popular mandate of people for realising the promised dreams of democracy and good governance at the local levels.

Providing constitutional guarantee to the LGIs

The constitution of the republic is the main source and provides legal bindings to all legislations, acts, rules and regulations of the country. The present constitutional provisions as embodied in articles 9, 11, 59 and 60 on LGIs are very

assigned? How much freedom the LGIs enjoy at their respective levels? A long list of function can be seen in all the LGI legislations so far enacted. The Union Parishad (UP) have been assigned 4 broader areas of compulsory nature and 37 specified (with a separate schedule) functions with 54 more judicial and 21 village police functions. Though a long list of function is provided to the UPs, the functionaries and funds are lying with respective line agencies of the central government at all the corresponding levels, i.e. union, upazila and districts. For example, the responsibilities of health, family planning, education, agriculture, fisheries, livestock, physical infrastructure- all equally appeared in the list of functions of LGIs. But the func-

the other hand, LGIs themselves in general lack financial discipline and transparency. The experiences of Indian State Finance Commissions and South African Local Government Commission and many other mechanisms (Ombudsman in Maharashtra in India) followed in some other developed and developing countries need to be examined for adoption to create clear financing line and method for LGIs and also to bring financial discipline within the LGIs.

Procedural innovation in budgeting and planning system

All the LGIs in addition to the central government's budgetary allocation mobilise their own resources. They are also legally bound to prepare and pass their own annual budgets. According to

Local government should really be regarded as 'government' and not merely an agent or client of central government. It should be allowed required freedom and autonomy within its own domain, otherwise its full capacity will not be harnessed and dedicated leadership will not emerge and develop from the soil. Instead of day to day administrative control from bureaucratic and political hierarchy, participatory planning system and strict and standard financial discipline can ensure real autonomy on the one hand and accountability on the other.

Local government service structure

It is a general perception that the LGIs from City Corporations to UP suffer from the lack of adequate and efficient staff support for carrying out their technical, financial and administrative jobs. To address the issue a long pending proposal to create a 'Local Government Service structure' may be reviewed afresh with a long term vision. The members of this service wherever feasible, may start their career from the UPs and end at the City Corporation and Zila Parishad levels. This service may consist of few sub-groups, such as professionals with Engineering, Health, Accounts and Administration backgrounds. The service may provide continuity and professionalism within the LG system. It is high time now to seriously take up this issue for detailed examination and for taking decision for a pragmatic and sustainable staffing for LGIs.

Strengthening the role and function of newly formed local government commission

Formation of an independent Local Government Commission has been recommended by all the committees / commission formed since 1990s. The Nazmul Huda Commission during first BNP government (1991-1996), Rahmat Ali Commission during AL government (1996-2001) and lastly Dr. Shawkat Ali Commission in 2007 under Caretaker Government may be taken as examples. The LG Commission has at last been formed and started work from November 2008. The Commission can play supportive role for strengthening LGI system by providing expert help and assistance to both government and LGIs. A specialized agency with positive outlook towards constantly building agenda for the LGIs and assisting all concerned to carry them forward is needed. The Commission can also build a bridge among the higher level policy makers, policy implementing bureaucracy, LGIs, civil society and all others intimately concerned with local development. It is expected that government, LGI and civil society organizations will use and utilise the services of the Commission in realizing the objectives of developing a credible, efficient and accountable LGI system. The LG Commission should work closely with the ministries of Finance and Planning for providing assistance during the preparation of national budget and plan and also with relevant parliamentary committees. Similarly it should also work very closely with the ministry of Hill Tracts Affairs on the local government Institution of special and Adivashi areas.

Helping the growth of LGIs and strengthening these institutionally is very much in national interest. Because by doing this, we can assist the LGIs in future to become an engine for growth and change for better Bangladesh for establishing good governance and institutionalization of democracy and development. The smooth transition to democratic government at national level and the Third Upazila Parishad election in 2009 under the political government is expected to usher in a new era in the history of local governance in this country. A conducive climate for supporting the growth of LGIs and strengthening these adequately appears to have emerged. All of us involved in supporting LGI growth must grab this opportunity. In this light it can also be regarded as an acid test for the new government, new upazila leadership and the Ninth Parliament, so as to see how further development takes place in the realm of local governance in future.

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But the functionaries and finance are absolutely controlled by the line departments. The challenging questions that need to be answered in future are (1) whether functionaries and funds will also flow towards the LGIs with the list of functions? (2) How we are going to deal with numerous line agencies at all administrative units together with LGIs at the same levels?

state" has emerged. In the recent decades the phenomenon of globalisation, marketisation and liberalisation created a new impetus and imperative for strong and effective local democracy and local governance as opposed to private corporatism and corporate nature of state. The modern states are divesting and 'hiving off' power, authority and responsibility at the local levels for efficient management of services. Local government institutions are being regarded as necessary stage between the common citizen and the central state and also be treated as 'load management' mechanism for accelerating development efforts at all the receiving points. People at the grassroots also feel good by having opportunity for closer interaction with the 'government at their door steps' (local state) compared to remote central state.

Bangladesh is an old nation with relatively a new statehood. The nation building efforts with a stable state still face formidable challenges. Establishing democratic polity and responsible, responsive and efficient governance is considered to be at the top of the challenge list the nation has been encountered with. In achieving the twin objectives of institutionalisation of democracy and good governance, the role and function of LGIs need be emphasised and placed in proper perspective. Though LGIs in this part of the world have a tradition and practice of hundreds of years, still it is not regarded and respected fully as effective, functional and credible service delivery mechanism. Mere existence and stereotype continuity does not ensure its rationale and relevance. The nation is faced with the challenge of transforming over 5000 weak, emaciated and feeble LGIs into effective, functional and accountable democratic institutions. The LGIs in this country have been the victim of

conducive to promoting these, but ambiguities still remain in its operational directions. As a result the issues like the hierarchical nature of tiers of LGIs corresponding to administrative units, central-local relationship, functions, functionaries, financing and freedom of LGIs in general hang on the balance and entirely depend on the direction given by the incumbent governments. While the Indian constitution provides guarantees for LGIs, we do not see such guarantees in our constitution. For example, the 73rd and 74th amendments of the Indian constitution provides a direction with a guarantee clause regarding the number of tiers, division of functions amongst central, regional and local levels and also clear financing arrangement with the formation of State Finance Commissions (SFCs). In Bangladesh the LGIs predate the constitution itself. It appears that inconsistencies between constitutional provisions and ground realities within which LGIs have to function exist. Those need to be reviewed and removed for providing a sound base and basis for strong, effective and stable local governance system in the country.

Adequate attention on 'Four Fs-- function, functionaries, finance and freedom'

Bangladesh is legally having a system of three tiers rural and single tier urban LGIs. These are Union, Upazila and Zila Parishads as rural and Pourshava / City Corporation as urban LGIs. While Zila Parishad still awaits formation, election for the Upazila Parishads is in progress and others are by now in place. The basic question arises, what functions these bodies are assigned to perform? Do they have appropriate functionaries at their command to carry out the functions assigned? Do they have adequate fund to carry forward the functions already

assigned? How much freedom the LGIs enjoy at their respective levels? The challenging questions that need to be answered in future are (1) whether functionaries and funds will also flow towards the LGIs with the list of functions? (2) How we are going to deal with numerous line agencies at all administrative units together with LGIs at the same levels? The presence of two parallel organizations with the same or overlapping assignments create more problems than solving them. This also curtails the freedom and autonomy of elected LGIs. As a result two separate agencies at one particular unit are neither desirable nor practicable. A bold and courageous step of public administration reform is an immediate necessity to solve these age old problems. Otherwise LGIs will never be established with clear mandate as an effective organisation at the levels of Union, Upazila and district.

Local government finance

There exists no clear budgetary formula for allocation of resources for LGIs. The LGIs receive development and revenue grants from central exchequer which is nominal compared to the public expenditure incurred at the same level through separate government agencies. For example, one UP receives direct government grant to the tune of taka one million on an average for a year. During the same year government expenditure in the same union area normally reaches up to taka 50 million with which the UPs have no relations. The public expenditure and grant vary from year to year at each level and it is mostly an uncertain terrain for LGIs to fathom. It has been stated that sometimes lobbying, personal connection and a network of irregular means play vital role in getting enhanced amount of grant and different project support. On

the new LGI ordinances passed in 2008, all the LGIs are required to make a five year plan too. The LGI plans and budgets are needed to be integrated with the national budget and national plan. Over a decade, we are not having five year national plans and long term perspective plans. Whatever plans we are having nationally in the name of rolling plan or Annual Development Plans (ADP), they are merely the collection of projects prepared by different ministries. There are scopes for innovative planning and budgeting system in the country. Firstly government may initiate a five year indicative plan under a 10 year perspective plan by incorporating vision 2021 keeping in mind the Golden Jubilee of our liberation. This will also provide a clear vision and broad guidelines for local level planning for all the LGIs. The LGI plans will aim at achieving the goals of national plan along with their specific local objectives. In this way allocated resource can be utilised under standard planning system and general financial discipline. Regarding the innovation in budgeting, serious consideration may be given whether a separate national budget for LGIs can be prepared and placed in the parliament. The national budget for LG may incorporate all the planning and budgetary performances of all the LGIs of the country in a cumulative and aggregated way. Later it may be incorporated in the national budget after final adoption in the Jatiya Sangsad. In India, a separate railway budget is placed in the parliament by the Railway Minister. We can create a new tradition of separate local government budget in future which may make the local government's development plans and finances transparent and accountable.

Freedom and autonomy of local government

DHAKA MONDAY FEBRUARY 23, 2009

UPAZILA SYSTEM

A beneficiary or casualty of political processes?

AMM SHAWKAT ALI

THE concept of upazila dates back to the report of Committee for Administrative Reorganisation / Reform (1982) when the country was under a martial law government led by the General HM Ershad who later ruled the country till he was overthrown in 1990. This paper attempts to analyse the course of events surrounding the advent of the upazila 1983, its abolition in 1991 under the elected government led by Begum Khaleda Zia and its subsequent revival under the caretaker government (CTG) popularly dubbed as non-elected government, 2007-2008. It is a strange coincidence that revival of upazila as much as its birth is associated with non-elected government of different hue and color. There are commonalities and differences, however, associated with the attempts to have elected local government, its abolition and subsequent revival. This brings into sharp focus the relationship between the national political process and the local government in Bangladesh.

The author had the unique opportunity of watching with interest as well as curiosity this relationship both as an insider and as an outsider i.e. within and outside the government. In 1982, the author, as a deputy secretary to government, was selected to be the Member-Secretary of the Committee for Administrative Reorganisation/Reform. In 2007, as a retired secretary to government the author was entrusted with responsibility of being the chairman of the Committee for strengthening the local government system and make it more dynamic. As chairman of this Committee, and as member secretary of the committee of 1982, with support from the members of these committees draft report was adopted without any substantive change. Both the reports related to the entire local government system and not just upazila.

National political process and upazila in comparative perspective between 1984 and 2007-9

As already stated, upazila concept was sought to be implemented at a time when the country was under non-elected government. In 1984, the political parties grouped into two alliances were demanding election to the parliament. To this end, the combined opposition parties represented by the two alliances, were more interested in an immediate withdrawal of martial law and consequent return of the military to the barracks and election to parliament. These demands were not new. Looking back at the historical experiences of martial law, one can find identical demands in 1959-60, 1969-70 and in 1976-77. It was not surprising, therefore, that the same demands would be voiced in more or less same political context. The political approach of the martial law government of 1958 and the government of 1982 was similar. Both the governments were more interested in creating a representative local government at the bottom. In case of Ayub Khan, it was a restricted form and is known as the Basic Democracies system, which enabled elected structure at the bottom to form an electoral collage for voting for parliament members and an elected President. Thus it was that the common men and women in the then Pakistan were disenfranchised and replaced by only 80,000 voters equally divided between the eastern and western Pakistan.

Not surprisingly, therefore, all the political parties in 1983-84 looked upon with deep suspicion the announcement for holding upazila election on March 24, 1984. This served only to intensify movement against Ershad regime spearheaded by the two political alliances. Hartal was organised in March, 1984. The next programme of opposition was from March 2 to March 24. The political alliances gave a call to withdraw nomi-



nation papers. This call met with some success as reported by media during the first half of the March, 1984. This was followed by an appeal by the alliances to boycott the polls.

The choice of political alternatives: The referendum

The government yielded to the demand, announced postponement of the polls and declared that the elections to the parliament would be held on December 8, 1984. Thus it was that the initial attempts to hold the upazila polls ended in failure. However, Ershad opted for referendum in line with what Ziaur Rahman had done to give legitimacy for his stay in to power. Having won the vote of confidence of the people, the date for election of upazila was fixed on May 16 and May 20. Incidents of violence were reported from various places and prior to the election, martial law administrators throughout the country were revived. This emboldened the local leaders and the party loyalists to take part in the election. The total number of such loyalists from Awami League (AL) who filed nomination papers was reported to be 254 and that of Bangladesh Nationalist Party (BNP) 223. Some of these included former Ministers, one State Minister and a Deputy Minister. However, in course of election there was sporadic violence.

Level of participation and political profile of candidates

By all accounts, the upazila election was well contested in that the average number of candidates for Chairmanship varied between 4 and 7 and the turnout of voters was 54.17 percent. There was larger participation by the Chairmen and members of union parishads. As many as 74 former members of parliament contested the election and 24 were elected.

There is a section of intellectuals and local government activists who devoutly argue in favour of keeping the local political leaders out of the influence of political parties. Reality is other-

wise. It is that the national political parties, far from being divorced from local political parties, have a strong link with the same. This reality is grounded in the fact that the national political parties depend heavily on local leaders for organising political campaign to win the confidence of the voters, both in rural and urban areas. They do not openly nominate the candidates for the locally elected councils. The law does not specifically provide for the same. This does not deter the political parties from silently allowing their own party men to contest local elections.

Some evidence of this has already been cited earlier i.e. participation of some ministers and members of parliament in the upazila pools of 1984.

More evidence is available in the statistical data of party affiliations of elected chairmen of 460 upazila which were created in 1984. These data were widely published in the print media.

Janadal, the new political party created by Ershad later rechristened as Jatiyo Party, won 207 seats of chairman making for 45 percent of the total.

This was followed by AL 53 seats or 11.52 percent, BNP 35 or 7.39 percent while the independent candidates bagged 124 seats or 26.96 percent (The Daily Ittefaq, June 13, 1985).

Upazila election 2009

In 2006, the new CTG took oath of office to hold a free, fair and credible election. The election to the parliament came more than two years later because of circumstances which are widely known. The violent turn of political events eventually led to imposition of emergency and on January, 2007 and complete restructuring of the CTG and in 2008, there was further restructuring.

Election Commission (EC) was also reconstituted. No date for national election was announced because of the need for electoral, local government reform and drive against corruption.

However, political violence traditionally instrumented by hartals and mass protests did not eventuate because of

restrictions imposed under emergency laws. As the political demand for election to parliament continued to be voiced, the CTG and the EC had to declare that parliamentary election would be held on December 18 and upazila on 24 and 28 of the same month. Earlier, elections to all but one city corporation were held peacefully.

At the other end, the four-party alliance headed by BNP had been consistently clamouring for holding local level elections after the parliamentary election. AL treaded on a softer line. At the end parliamentary election was held on December 29 resulting in a landslide victory for the 14-party alliance with more than a two-thirds majority. Upazila election was held on January 22, 2009.

Linkage between local govt elections and national political process in 2009

Immediately after the announcements of the date and revised dates for holding upazila election, the local level leaders, mostly members of the major political parties, vied with one another

to get involved in promoting their candidates for the polls. In many districts, there were multiple candidates for the same position. The AL leader, now Prime Minister, took cognisance of the phenomenon and sent written instructions first in January 2009 urging the grassroots level party members to select single candidate. Her request went unheeded resulting in stricter written instructions again specifying January 17 to be the terminal date for finalising the process of single candidate.

Warning was given that non-compliance with the directive would entail disciplinary action as laid down in the party's constitution (Samakal, January 15, 2009). Till January 20, more than 40 local level leaders were expelled by AL as reported by the media.

Alliance-based single candidate

The other interesting aspect of upazila polls, as reported by the media, is the

change in strategy in political participation. The parliamentary election was alliance-based i.e. each of the two major alliances mutually agreed on single candidate from amongst parties forming the alliance. In contrast, the upazila polls were fought on party-based "nomination" which was not entirely controlled (Prathom Alo, January 5 and 17). This is substantiated by the numerous expulsion orders issued with more getting under way and the fact that there was a call from AL leader to put up single candidate for each set.

One more substantive aspect relates to the fact that a much larger interest in upazila elections -- both at the centre and at the local level -- was clearly visible. This is certainly a sharp departure from past tradition in which direct intervention from the party at central level was not necessary. Worse still, there were allegations that at least two ministers and two MPs of the present government had influenced poll results in their respective constituencies in flagrant violation of electoral laws. EC is understood to have taken a strong stand against them.

What has been the ultimate results of party-backed local government election at the upazila level. Figures published by the media as on January 24, indicate that AL bagged 317 posts of Chairmen, BNP 78, Jamat 23 and others 37 (Samakal, 24 January). Election related violence led to the death of at least three persons with more than 150 having been injured. The election results show that it is more or less consistent with the election of 1985 with the difference that in 2009, the result is overwhelmingly in favour of the ruling party, on a scale much bigger than that of 1985. The question that remains unanswered is whether the local government elections can be totally divorced from political parties as some civil society members argue.

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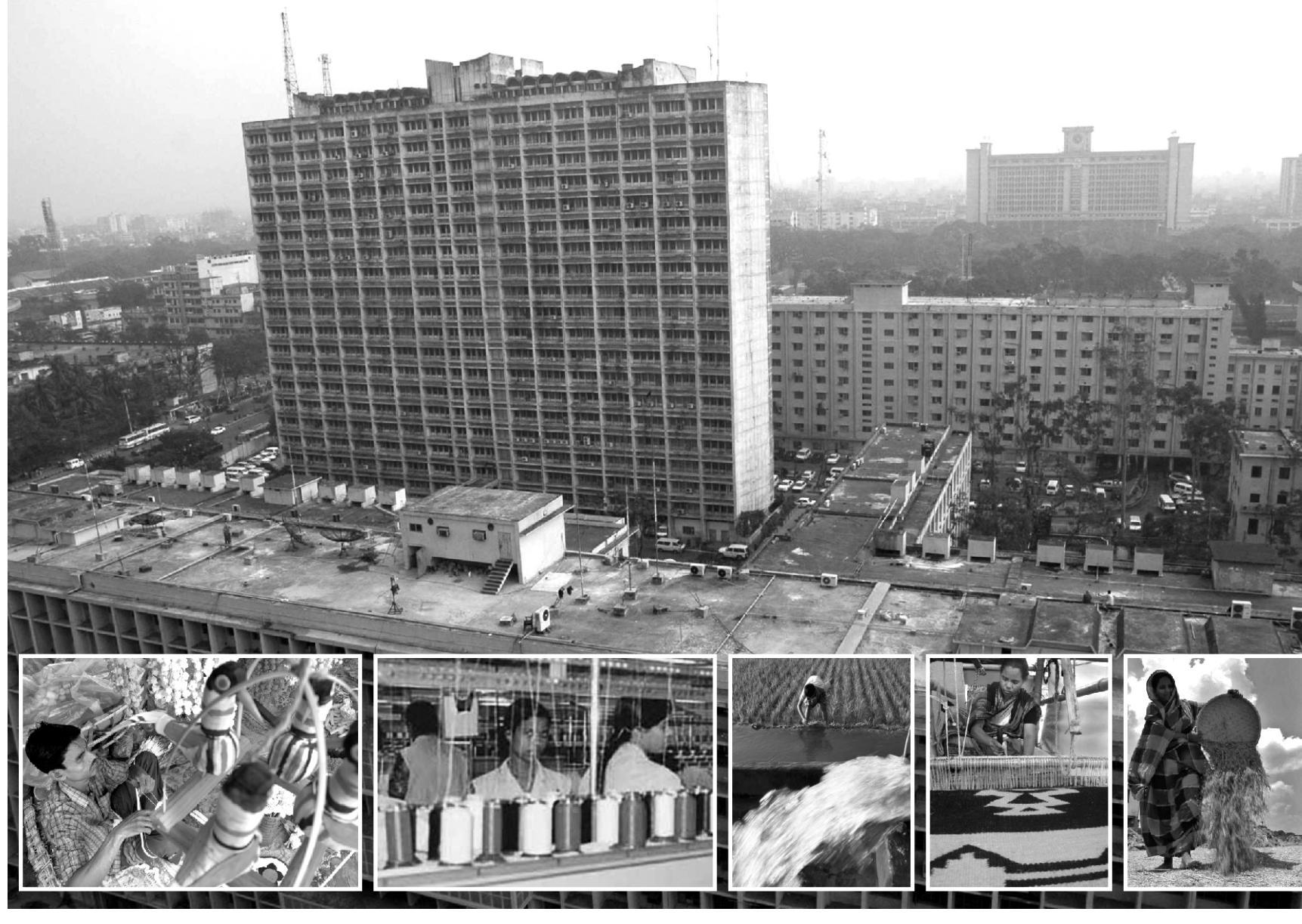
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Decentralisation in a unitary government

DR. SAADAT HUSAIN

TWO types of governmental structure define the territorial administration in a country: the unitary government and the federal government. In the unitary government there is one national government at the centre and one national assembly in the capital; there is no other government or assembly in any other part of the country. Contrary to this, in a federal structure of government the country is divided into a number of provinces or states with each having its own government and assembly. The state or provincial government is responsible for administering the subjects transferred to it through statutes framed in this regard. The provincial assembly deliberates on the subjects, enacts laws in these areas and also forms the provincial or state government in the same way as is done in the centre. The provincial government does not work as a directly subordinate body of the central government. So far transferred subjects are concerned, it works independently of the central government subject to national laws, rules and regulation. For subjects retained by the centre, it has to abide by the decisions and instructions of the centre. Else the central government will enforce its decision if necessary by force. Subjects usually retained by the centre are foreign policy, defense, monetary policy, national integration and inter-states transactions. In an



Multiparty administrators in the local governments preclude emergence of exclusive politics and ensures participation of diverse political groups in the governance of the country. In the absence of elected local governments, "winners take it all" syndrome may create a suffocating situation for the excluded groups. This in turn precipitates confrontational politics ridden with agitations and violence. Experiences of Bangladesh in the last few years conform to this scenario.

ideal situation, all other subjects are transferred to provincial or state government.

The rationale of federal government lies in maintaining regional balance, ensuring inclusiveness, promoting equity and removing disparity. The call for federal structure is most audible in countries with heterogeneous population and swinging area. USA, India, Pakistan, Brazil and Russia are good examples with such characteristics. In these countries unitary government will soon be rendered dysfunctional as centrifugal forces will undermine the central authority by whetting demands for autonomy, cultural freedom and fair share of national resources of all types. Countries with an overwhelmingly homogenous population and not too large an area often opt for unitary structure primarily on consideration of cost and national integration. France, Japan, Bangladesh and Barbados have opted for a unitary system of government. Central government directly administers the whole country without depending on the provincial government for administering the transferred subjects. Central government's presence is palpably felt at every nook and corner of the country.

Decentralisation as a management style is very popular among academics, media people, NGO representatives and common people. Its appeal to top administrators is, however, mixed. Some of them do not prefer to

go via state or provincial governments to get their projects implemented. Notwithstanding their preference, decentralised management ensures speedy and smooth implementation of assigned tasks without interference or filibustering by the authority at the top. Enhanced budgetary flexibility, higher devolution of financial and administrative authority to implementing agency accelerate the execution process and reduce harassment of clientele. Top apparatchiks at the centre contend that organizations at the lower echelon are not manned by appropriately trained, motivated and efficient functionaries to accomplish the task satisfactorily. It is not uncommon to find that the programme has been distorted to suit the preference of the local authority or it has been shelved because the local authority lacked the capacity to implement such a programme. It is true that decentralization will not deliver expected results if the local authority is not equipped with appropriate type of manpower and logistics. An effective and efficient local authority is a pre-requisite for successful operation of a decentralised regime. The extreme form of decentralisation, some economists argue, is delivery of all necessary goods and services through free market mechanism. A detailed deliberation on this aspect will be beyond the pale of this write-up.

One has to make a distinction between decentralisation and deconcentration. Simple dispersal of

delivery points to remote areas does not imply decentralised management if the operators at the delivery points are not autonomous decision-makers. Decentralisation is an inclusive concept; its inherent objective is empowerment of local authority so that the management is responsive to local needs and expectations. If the functionaries of the local authority are appointed or controlled by the central authority their loyalty will be to the controlling apparatchiks at the centre rather than the local people or their institutions. For decentralisation to be effective, local bodies have to be empowered so that they can act as a buffer institution in case the central authority makes any move to undermine the interest of the local people. At the same time the central authority should have the power to rein in the management of the local bodies if they substantively deviate from the fundamental policy of the centre. The delicate balance can be maintained by designing appropriate instruments of checks and balances. Existence of provincial and central government provides a built-in buffer in the federal structure.

One big strength of decentralised management regime is its scope for inclusiveness. It can accommodate people with diverse shades and preferences. Centralised management encourages cronyism at every level and deprives the dissenting groups and nonconformists of their rightful claims. Absolute control over the management structure is apt to allow the ruling oligarchy to persecute their opponents and non conformists without any resistance from the lower echelon of management. Grievances and anger accumulate among the excluded groups and this may culminate into mass upsurge at times. By accommodating people of different opinions and shades at various layers of management the seething discontent is arrested before it degenerates into explosive situation. Interaction with and creating a space for groups with diverse opinions and preferences improve the quality of decisions and render them acceptable to otherwise disgruntled groups. The system may

thus be saved from destabilisation. Provincial governments affiliated to different political parties help diffuse frustration among parties defeated in the national elections and promote participation of major parties in the governance of the country. Loss in the national elections may be partially compensated by victory in the provincial elections.

Decentralisation is best facilitated by elected bodies at the local level. Provincial governments in the federal structure are by and large elected. Since there is no provincial or state government in the unitary governance structure, existence of autonomous and strong local governments is a critical desideratum in this dispensation. Autonomous local bodies with sizable administrative and financial authority is apt to meet the local needs much faster and better than the central government. It can also cushion the local people against arbitrary and partisan actions of the central government. Multiparty administrators in the local governments preclude emergence of exclusive politics and ensures participation of diverse political groups in the governance of the country. In the absence of elected local governments, "winners take it all" syndrome may create a suffocating situation for the excluded groups. This in turn precipitates confrontational politics ridden with agitations and violence. Experiences of Bangladesh in the last few years conform to this scenario.

Bangladesh constitution emphatically and unequivocally provides for elected local governments at all tiers of administrative units. The higher courts have also instructed the government to install elected local governments. All in vain until now. Consecutive governments since 1991 have disregarded both constitutional obligations and the rulings of the higher courts with impunity. The results have been disastrous for the country. Only lately the most important units of local administration, the sub-districts (Upazila) have had elected parishads. Besides city corpora-

tions/ municipalities the only elected government was visible at the union level. Supporters of different political parties have been elected as the heads of union level and upazila councils. If supporters of different political parties and citizens groups were elected as the heads of administration at the sub-district (Upazila) level, frustration of defeated and excluded groups at the centre would have waned to a great extent. Arbitrary and tyrannical instructions from the central government could be diffused or resisted much to the relief of innocent local inhabitants. It is not, however, unlikely that elected local leader might turn out to be a tyrannical and corrupt person. In such circumstances central government's intervention may be necessary to save the local people from the tyranny of a malefactor.

Decentralisation is not a panacea for all the malaise in the governance of a country or an organisation. How far decentralisation will succeed depends on the capacity and character of the local heads of decentralised management. Corrupt and inefficient local managers, elected or nominated, militate against the viability of decentralised institutions. Proponents of decentralisation have to guard against such possibility so that an otherwise sound concept of decentralisation does not suffer owing to bad selection of local managers. The objective of good governance is to strengthen the institution of decentralisation by demonstrating the harmful elements and introducing corrective measures. Decentralisation may be confronting bad experiences here and there but on average it has always been found to deliver in the long run suffocating situation for the excluded groups. This in turn precipitates confrontational politics ridden with agitations and violence. Experiences of Bangladesh in the last few years conform to this scenario.

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The way forward to our rights

HAMEEDA HOSSAIN

In anticipation of the elections, women's groups had outlined their priorities for political commitment: first, for an end to impunity for war crimes, including rape, for extra judicial killings, for violence against women, particularly domestic violence and sexual harassment, for corruption; second, for legislating equality and freedom; third, for equal access to opportunities and resources; fourth, for affirmative action to protect women's rights and eliminate gender discrimination, irrespective of religion, ethnicity, profession or class; fifth, for democratising state and community institutions for meaningful participation; sixth, for fair conditions at work. These concerns had emerged from their long struggle for recognition of full citizenship, for equal rights in the public and private sphere, for social, political and economic participation and for gender justice.

Some incremental gains have of course been made, say in education or work opportunities, but these are only piece meal solutions, and have not resulted in a transformation of gender relations. Can we now expect more positive advances, given the promises made by the majority party, a larger number of women in elected positions, a growing constituency of women voters and the dynamism of women's rights activists, who have in the course of their struggles made common cause across differences of religion, ethnicity and social exclusion? State interventions are needed to lay the ground rules



the UGC sponsored draft code on sexual harassment as policy in the universities and work place. This could also lay the foundation of a law on sexual harassment. Opposition may be likely from the party's male hierarchy and its cadres, some of whom have enjoyed impunity for their own acts, but their reservations must give way to the social good.

Amongst the structures that need to be set up, a priority would be a Gender Equality Commission to examine areas of discrimination and recommend reforms in laws, policies and programmes, to ensure the promotion and protection of women's rights. The Commission could recommend ways for Bangladesh to meet its commitment to reform of national laws in conformity with CEDAW articles, and for their implementation. Examples of the useful work of such commissions in South Africa and Rwanda can guide us.

Several countries have adopted an Equal Opportunities Act to ensure equality in access to education, health, employment, and other opportunities as well as to resources. Indicators for education and even health have no doubt improved, but we need to take longer strides in quality education, in reproductive health and rights, and be provided security of livelihoods. Finance and economic ministers never fail to sell plans for economic growth and foreign exchange earnings, but they forget that this has been due to women's labour in shrimps, garments, construction, etc., therefore economic

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for equality in women's public and private lives, and to eliminate social blocks to change within the family, in the community, in the market and in public life. There can be no excuse for governments to give in to political conservatism or expediency.

The AL's 1997 National Policy for Women's Advancement had covered considerable ground in providing for women's personal rights, as well as

rights to property, land, and at work, etc. Since the party's manifesto as well as the PM's election speech reiterated this commitment, the government now needs to move beyond rhetoric to list priorities and sequential timelines for implementation. In the same spirit with which the party engaged in wide consultations with women activists in 1997, it should again hold consultations with women's and human rights

groups, so that law making is not restricted to a five minute raising of hands in the Parliament.

Two immediate initiatives could win kudos from women's rights activists and be important steps in promoting rule of law. A draft bill on domestic violence is almost ready for adoption and this could be tabled in the first session of Parliament. The second initiative would be to formally adopt

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Dhanmondi 27

Sat Masjid Road

Mirpur 1

Mirpur 10

Mohammadpur

Azimpur

Nasirabad, Chittagong

Power House More, Khulna

Coming soon to your town

bringing freshness to your life

meena
bazar 

Merit preference in governance

DR. SAADAT HUSSAIN

ALL the three organs of the state, the executive government, the legislature and the judiciary are involved in the governance of the country. Recruitment of suitable persons is essential to make these organisations effective. The following methods of recruitment

are available for running the organs of the state:

- (i) Elections, inheritance, constitutional provision for filling the vacuum or application of sheer force
- (ii) Open competitive examinations
- (iii) Regular promotion system
- (iv) Selection through a search committee
- (v) Arbitrary selection by the ruler or the king

appointing authority
Methods to be followed for particular types of recruitment are provided in the legal instruments of a country: the constitution, the royal decree, the acts, rules or executive orders issued by the appropriate authorities. Discussions in this paper centre around parliamentary democratic form of governance though occasional reference will be made to other forms of governance.

Parliamentary democracy starts with the parliament which consists of elected representatives known as MPs.

(members of the parliament), speaker, deputy speaker, leader of the house, leader of the opposition and whips etc. They are all elected persons responsible for conducting the sessions of the parliament. They are supported by the clerk of the parliament and his staffs who comprise the secretariat of the parliament. MPs decide about the form and formation of the government, form of the judiciary and the rules of procedure for conducting the business of the parliament itself. The clerk and the staffs of the parliament are not elected, they are recruited through secondment, open competition or some other customary procedure.

Leader of the house who is also the prime minister is elected by the parliamentary party. The prime minister selects the members(ministers) of his/her cabinet. The Prime Minister is by and large unencumbered in selecting the ministers. His/her preference and trust or political compulsions are the key criteria for selection to these positions. Merit does not play an important role in the selection of the ministers. The ministers work during the pleasure of the prime minister and therefore their main concern is to keep themselves trustworthy of the prime minister. Though technically the president is elected by the parliament, in effect he is elected by the

usually command the majority in the parliament. In the election of the president, prime minister or the MPs simple merit is of little consideration. In MP's election money, reputation and standing, organization, strategy and activism of workers are the most important determinants of the outcome. Prime minister is usually the head of the ruling party or his/her nominee. Merit may not play any significant role in this case. In the election(in effect selection) of speaker, deputy speaker, chief whip and whips merit does not necessary play any role, it is party chief's preference that matters most in the whole process.

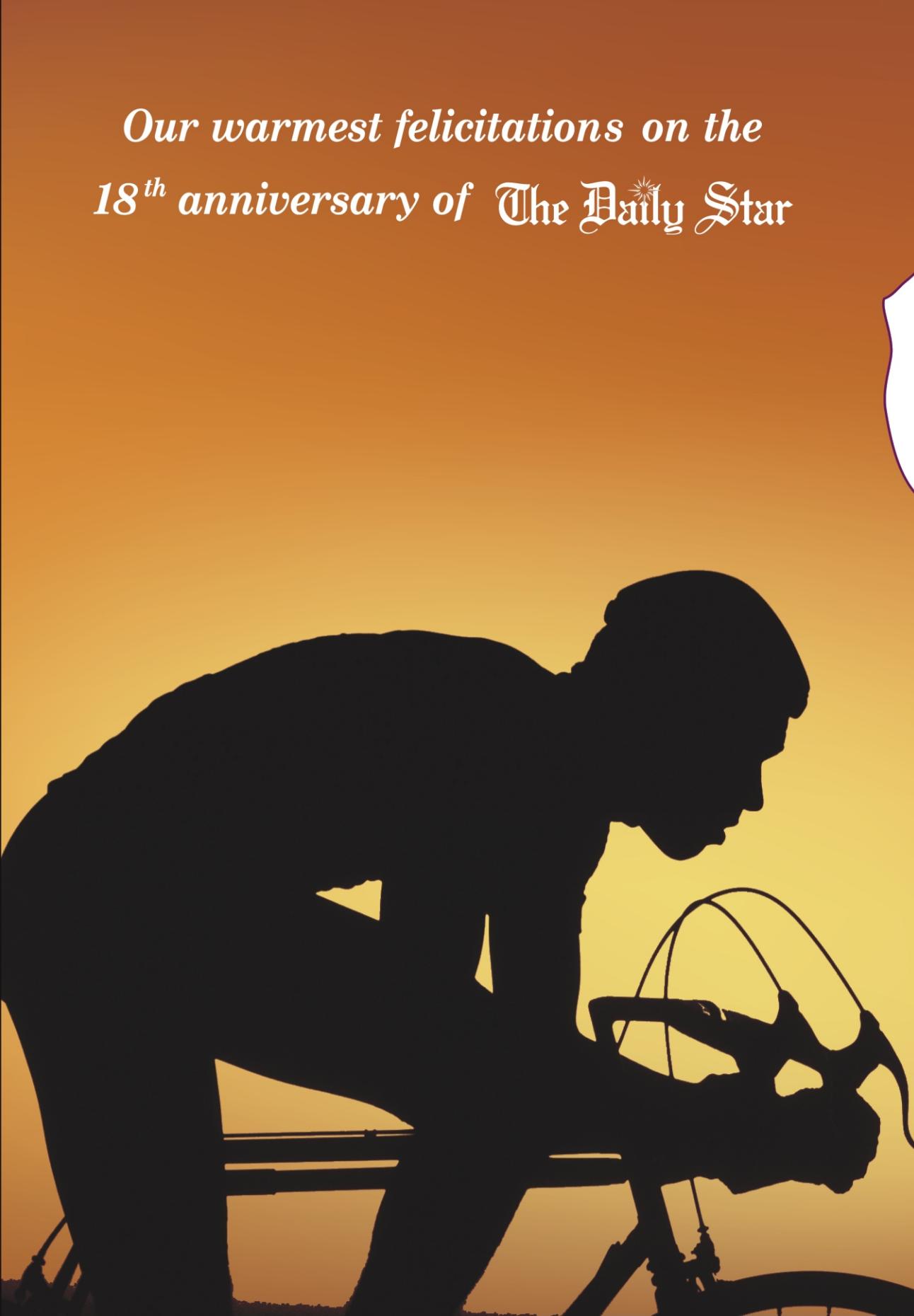
The chief justice is promoted from among the judges of the appellate Division of the supreme court. Cases of supercession notwithstanding, it is a regular promotion within the system, merit not playing the most important role. Similar is the case for appointment of the judges of the appellate division. Judges of the high court division were selected from the bar and the judicial service officers by the chief justice and the prime minister. There is no open competitive examination for selecting the high court judges; recently a selection committee has been formed for the purpose. Merit has not been made the prime criterion in this case also. Appointments to constitutional

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01 AM

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DHAKA MONDAY FEBRUARY 23, 2009

Right to information for participatory governance

SHAHEEN ANAM

RIGHT to Information (RTI) refers to the right of all citizens to seek information held by or under control of public authorities. It creates legal entitlement for people to seek information and includes duty of the public function bodies, government or non-government, to make information public and easily available. It enables the citizen to seek information from duty bearers and hold them responsible to disseminate important information proactively, even if it is not asked for.

The Right to Information Ordinance 2008 was promulgated by the Caretaker Government on October 20, 2008. This was in response to the long-standing demand for such a law raised by the civil society, including print media. The Law Commission had drafted a working paper on RTI in 2002.

Civil society organizations, individuals, media and professional groups worked on the draft law and presented it to the caretaker government. Following this, a series of consultations which included all stakeholders joined by politicians and government officials was held to discuss and debate the draft law which was later finalized and ratified as an ordinance by the caretaker government. This Ordinance now has to be enacted as an Act of Parliament. As of now, it is under review by a Parliamentary Special Committee and we hope that it will be passed as an Act before the end of the present session of Parliament.

After the recently concluded national elections, Bangladesh stands at the threshold of immense possibility to strengthen democracy and establish a transparent and participatory system of governance. We commend the present government for making a commitment in their party manifesto to promote free flow of information. Effective implementation of RTI Act will enable the government to fulfill its promise to the people of instituting a participatory, transparent and corruption-free government. In order to do that, they have to do away with the "culture of secrecy" and usher in a "culture of openness". RTI will also promote and create opportunities for dialogue and discussions on critical national issues between the general people and policy makers. One can go so far as to say that RTI will give people the opportunity to exercise their citizenship right.

Citizens' right to know about all

aspect of governance is a fundamental right which is supposed to be exercised through the Parliament. However, given that the Parliament so far has not functioned as it should have, this right has been inadequately exercised. That is where the importance of the Right to Information Act comes in. The RTI Law will enable the general population to hold elected representatives accountable for their promises and pledges, and government functionaries accountable as per government rules of business. It will strengthen democracy and lay a firm foundation for the participation of the people in the affairs of the country which is the fundamental principle of the parliamentary form of democracy.

RTI will provide the key to good governance and will make participatory democracy meaningful. It will also assist in implementing people-centered development which is based on equitable growth. For a democracy to be meaningful it has to be participative and inclusive. This can only happen when the general population can get relevant information effectively from public authority. The Honorable Prime Minister's pledge to reduce poverty will also be fulfilled by effective use of the RTI law.

Presently there do exist mechanisms which enable citizens to seek information. Elected representatives, opposition party, the Judiciary, Comptroller and Auditor General, print and electronic media all seek information which are in the custody of public bodies. However, the RTI will for the first time empower ordinary citizens and give them the power to seek information related to various activities of the state, thereby making the state authorities more accountable to the people and the people more involved with state affairs and activities.

Let us examine how the RTI will promote participatory governance

By using RTI, the general population can demand information as a right on issues such as the budget allocation for Upazila's, the amount of funds allocated and spent in construction of local roads, culverts, schools, hospitals, etc. This will increase their participation in matters related to local development. It will also give them an opportunity to have a say in how funds allocated for the good of the community is being spent. People will get an opportunity to monitor such expendi-



tures and in the process bring to public attention any wrongdoing or corruption. On the other hand, getting involved in public affairs will promote a sense of responsibility in people. They will become part of a system that is mutually beneficial, hence creating an enabling and win-win environment.

The RTI will empower the poor and vulnerable people to ask for information on matters critical to their lives and livelihood, such as information on safety net programmes, Khas land allocation, distribution of disaster relief materials, etc. Using the RTI they can demand to know why they do not get proper services from public service delivery institutions. For the first time the poor will get a chance to question the inequity and discrimination in service delivery. When these local demands are raised, policy makers at central level will be forced to give attention to them and come up with solutions. This has assumed greater importance now that there are expectations of decentralization and government commitment to increase the safety net programme.

RTI will force accountability from elected officials and compel them to fulfill their election pledges and promises. Not only that, the executive officials at local levels will have to answer to the people why as public servants they are not serving the people. Once people start to feel that the government is serving their interest, they in turn will be more responsible in terms of fulfilling their obligations such as paying income tax, utility bills, etc.

The Right to Information Act has now been passed in 75 countries. In the region, India passed the law in 2005 and Nepal a year ago. Pakistan passed it through an ordinance in 2002 and with the restoration of Democracy is in the process of legislating it as an Act.

In most of these countries the enactment of the Act was seen as the first step in establishing openness and transparency in the system of governance. The impetus for enactment of such a law came from a political commitment to give power to people which is the parallel of participatory governance. The civil society in most of these countries played a leading role in galvanising public opinion for such a

law. In most countries, especially in India, they continue to play a watchdog and monitoring role to make sure that the law is being implemented as per the expectations with which it was enacted. Success stories and best practices abound in many of the countries which have adopted RTI regimes. It is seen those governments that have embraced the notion that information is created for the welfare of the people and hence cannot be kept away from them are getting positive results from the RTI law. In many of these countries corruption has come down, people's participation has increased, regulatory institutions have started to function efficiently and most importantly people have renewed their faith and confidence in the system.

One of the basic principles for Democracy to be effective is allowing free media to flourish. The print media has a glorious history in Bangladesh of providing information and bringing to public attention the ills of society including those indulged in by state parties. The advent of private television has also increased people's access to information. We hope that the RTI law will further enhance media's ability to play their watchdog role further institutionalising democracy and promoting participatory governance.

Bangladesh has now two options. One is to go back to the old system of secrecy, non-transparency and inefficiency. The other is to go forward boldly and embrace what is new, dynamic, forward-looking and the call of the day. That is, to enact the RTI law based on principles of maximum disclosure and minimum exceptions. This will make a huge statement to the world that we too want to become members of the "international club" that seeks to promote transparency, accountability and participation. After enactment of the law, the next step however will be to set up a strong independent Information Commission composed of people with integrity and, honesty who will not only entertain requests for information but will be advocates for the Right to Information for all people.

If Bangladesh chooses the latter, then the sky is the limit. We can then look forward to a future where the will of the people will be supreme, ushering in great opportunities and possibilities.

Shaheen Anam is Executive Director, Manusher Jonno Foundation and Convenor, RTI Forum.



Way forward



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growth must be accompanied by distributive justice, it cannot be at the cost of undermining the lives and livelihoods of women workers.

Of course, we realise, that the Parliament represents a diverse range of members including former military rulers, businessmen and even persons charged with corruption. But why should their opinions gain precedence over the voices of women, who have suffered from policies that adversely impacted on food security, on economic growth and distributive justice, on law and order, on security, and the impunity of violators. In the case of women of Adibashi, Dalit and religious minorities, the State needs to formulate affirmative action to ensure their security and confidence building. The Human Rights Commission has finally taken shape, but its mandate is too limited to play an effective role in contending with rights violations and challenging impunity of the perpetrators.

Elections to the Ninth Parliament have brought several surprises from women. The turnout of 75 percent women voters was the highest of all elections held since Independence. Women's participation was visible in party campaigns, in talk shows and street campaigns. Even though political parties disagreed with the Election Commission's recommendation to nominate 40 percent women in their list of candidates, an unusually high number of 58 women contested in 62 constituencies. Nineteen elected women members have proved that they can win against male contestants so parties need no longer shy from nominating them. A few of them have no doubt come in as proxies for wayward male relatives, who were convicted or faced charges of corruption. Some have received nominations as political favours, but there are others who have been active in their political parties or in trade unions.

Will they be able to overcome party dictates and form a pro-active caucus in Parliament to promote laws and policies that will be gender sensitive, and incorporate women's concerns whether it is in agriculture, food security or maintaining rule of law? The Parliamentary standing committees would no doubt include women representatives; but the proceedings could gain from formal consultations with women rights activists or professionals. The AL had backed the demand for direct elections to reserved seats in Parliament, therefore with its two-thirds majority it could opt for a constitutional

AMARAN HOSSAIN

amendment to discard the humiliating system of selection by parties. Were the government to fail to do so in the first session, there would still be an addition of 45 members, some of whom may form a critical pressure group within each party.

Added to this, under the new election rules 68 women will be elected as upazila vice-chairpersons on 22 January, and currently thousands are serving their term as elected Union Parishad members. Their participation in shalish could be pivotal to fair dispute resolution. We have seen enough of corporal punishments and social boycotts of women, or even an illegal hilla marriage pronounced by fatwas. An appeal against a High Court judgment that banned such fatwas should now be dealt with swiftly by the Supreme Court. There is no justification for the government to waver on the excuse of religious sentiment, because the primary duty of the state is to protect a citizen from violence.

Women in local governments must not shy away from their responsibilities for supervising safety net programmes or other development schemes in all fairness and honesty and making sure that such schemes are not used for personal or political patronage. The Right to Information can be a powerful instrument for women constituents to challenge their omission from the distribution system.

Seeing women move into positions of power or influence is a good image maker, but it will take the empowerment of ordinary women to move the slogan of change to a visible demonstration of change. Activists who have supported women's struggles at the grass roots know that there is an ongoing need to challenge the inequality and injustice of state structures, of community hierarchies and family values that subordinate women. Collectively and separately, women have resisted the denial of their rights through the system of justice, they have gained a little from legislation, and have been in the forefront against domination by regressive forces in the community. We cannot afford to retreat even in the interest of political compromise, that has allowed institutions to become authoritarian, to put women's concerns on the back burner. The women's movements must remain firm in their goal of promoting values of democracy, justice and human rights.

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Hameeda Hossain is co-chair of South Asians for Human Rights.

Merit preference

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positions are not also based on merit; prime minister's preference is the only basis for selecting persons for these positions. Same is the case for most of the commissions except a few commissions formed recently where the chairperson and members are selected through search committees. Government cannot go beyond the panel prepared by the search committee. Prime minister's discretion is also limited in case of selecting vice chancellors of four universities where government has to select the person from the panel elected by the senate. VCs of all other public universities may be selected by the prime minister unilaterally. In all these cases merit has in effect no place in the selection process. Merit does not play any role in the appointment of persons through lateral entry to senior positions of the government and autonomous

bodies. Though they are appointed under the umbrella of president's quota, prime minister has the prerogative to nominate them for these positions. Prime minister has also the prerogative to select about a dozen persons for appointment of Bangladesh ambassadors to different countries. There are many other positions where prime minister's preference is the only criterion for selection.

Merit preference plays the most important role in selecting candidates for appointment to almost all the gazetted posts and a few non gazetted posts in the executive government. Recruitments to these posts are made through open competitions. Appointees are recruited mostly for the base posts and they are expected to reach the highest positions in the professional ladders through promotion to predetermined echelons. Here also variables other than merit crowd the

system. Forces are at work to undermine the importance of merit in the recruitment process. The pressure is so much perceptible that one would be justified to say that we are as committed to mediocrity.

Merit may not be the appropriate criterion for selection of persons to run various organisations of the country. Not all meritorious persons always excel as the heads of the organisations in the public or private sector. However, there is no gainsaying the fact that dull people too have very slim chance of doing well in senior positions in these organisations. Qualities other than merit may be relevant in some public offices. It is true that in professional jobs where sophisticated analytical tools have to be applied, merit can be ignored only at the perils of the organisations. Substandard non meritorious persons in high positions not only fail to deliver, they send the morale of

the organizations plummeting. Professionals and workers get frustrated and gradually alienation syndrome sets in the environment. Soon the organisations become dysfunctional and fail to justify their existence.

If merit is systematically undermined in the recruitment process then meritorious people will not associate themselves with the state organs. They will find out their niche somewhere else in the world. There will be brain drain at an alarming rate. Our infrastructure, our environment, our production, quality of our management and service delivery will suffer because of merit deficiency. Merit may not be the critical element for success at the micro level, but it is the most essential element for success or high performance at the macro level.

Merit has been undermined in the recruitment for all the three

organs of the state. The recruitment rules, the career prospect and the incentive structure have militated against induction of meritorious people in the service of the republic. As a result some organisations are inflicted with terrible merit deficiency and their performance level has been pushed to the brink. There have been attempts to reinstate merit in some units belonging to executive branch of the government. Unfortunately the moves have been thwarted by the special interest groups within the structure. The nation has to cogitate about the appropriate place of merit in its governance regime. It may decide to work for a high level of performance supported by meritorious people or it may enjoy the low level of performance with cringing lemons. The choice will determine the outcome.

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The writer is Chairman, Bangladesh Public Service Commission.

DHAKA MONDAY FEBRUARY 23, 2009

Prioritising higher education



STAR ARCHIVE

Dr. HAFIZ G.A. SIDDIQI

FOR economic growth and overall national development the first and foremost pre-requisite is education. Illiteracy and non-availability of adequately educated manpower are the two major causes of underdevelopment. However, it is recognised that ensuring primary education for all is only a necessary but not sufficient condition. It needs to be complemented by higher education. While high literacy rate is fundamental requirement for a country's development, higher education virtually determines its social, political, economic and technological progress. A country not only needs universal primary education but it also needs a minimum number of highly educated scientists and professionals like engineers, doctors, ICT experts, etc. in addition to vocationally trained manpower.

Even to achieve a high literacy rate and to ensure sustainable quality of primary education, a nation must ensure an increasing supply of qualified teachers. The teachers of the primary schools are required to be educated and trained at the institutions of higher learning. Beside for ensuring economic growth at reasonably high rate, an increasing number of productive workforces including highly skilled experts in various disciplines are essential. These experts are the products of higher education. If we want to establish a society based on equity and justice, poverty must be alleviated and inequality between the rich and the poor reduced. This can possibly be done by the educated leadership in all professions.

If a society wants to empower women, they must be allowed to have easy and equal access to higher education. If we want to live a better life than our forefathers, we must be highly educated to be innovative, more productive and competitive in the global market. It is necessary to integrate national economy into global system to face the challenges of globalisation that has made the process

of development technology-driven and knowledge-driven. The success in integrating the national economy into the global system will depend on the success in creating specialised human capital which can only be done through the provision of higher education in different disciplines.

A country cannot become a really developed and industrially rich only by achieving 100 percent literacy rates. Even though it is functionally important to reach that plateau of full literacy. There are many countries that have achieved more than 90 percent of literacy rate but none of them is considered a highly developed industrialised country. Among these are Estonia, Cuba, Tajikistan, Kyrgyzstan, Albania, Palestine and Mongolia. The main reason for this is their inability to produce and use highly educated manpower, namely, scientists, researchers, physicians, engineers, managers, teachers, etcetera who are able to contribute to the country's development.

It is necessary to note that the output of primary and secondary (pre-12 year) education is the input of higher education (post 12-year education including vocational / professional training and research capabilities). If primary and secondary education system produces low quality output then the higher education system will not be able to produce high quality graduates, the necessary inputs for sustainable development. Similarly, if universities and colleges cannot produce high quality graduates to teach at the primary schools, the primary education system itself will suffer. This implies that both quality and quantity of primary, secondary and tertiary education are interdependent. Therefore, it is necessary to balance the priorities keeping in view the national priorities and global realities. In this age of globalisation the trend is to pursue knowledge-economy. In the present globalised knowledge-economy, the importance of tertiary education has increased tremendously. Bangladesh needs to formulate its new strategies to turn the country into a knowledge-

economy creating opportunities to higher level education, training and research.

Lessons from other developing countries

In many developing countries that have excelled in economic development, investment in higher education and R&D as a percentage of GDP is much higher than that in Bangladesh. It is to be noted that R&D expenditure is only a part of the total expenditure in higher education. Like investment in higher education, their investment in pre-12 year education is also high; therefore their literacy rate is very high. However, all these countries attach higher importance to tertiary education including R&D. For example, China believes that rapid scientific and technological development is possible only by increasing investment in R&D. Therefore, it has doubled its expenditure in R&D as a percentage of GDP by increasing from 0.7 percent in 2004 to 1.4 percent in 2006. It has also revamped its higher education system by updating and modernising academic programmes, pedagogy and laboratory research capacities significantly with an emphasis on the basic research for innovation and training of the R&D personnel.

Similarly, Taiwan assigns highest priority to scientific and technological education. Its impressive GDP growth is attributed to its increased expenditure in higher education and R&D. Taiwan is implementing its "Program for Development of World Class Universities and Research Centers". Like China, Korea doubled its R&D expenditure during 1998-2002. It has further undertaken an ambitious plan to invest 3 percent of its GDP in R&D by 2010. It is interesting to note that in the rapidly industrialised countries including those mentioned above, it is the private business sector that invests more than the government in R&D. South Korea and Taiwan are good examples... For Bangladesh, the case of India is more relevant. India's phenomenal rise as economic power is greatly attributed to its assigning highest priority to high quality higher education, basic research, development of technology and vocational training. Although India's literacy rate is less than 68 percent it has virtually become economic superpower in South Asia. India's IITs and IIMs have set examples for other countries. The emphasis on IITs and IIMs given by India implies that for sustainable development a country simultaneously needs scientific, technological and managerial education and training. In addition to the several hundred State and 18 Central Universities, there is a network of research institutions that provide opportunities for advanced learning and research leading to the highest degrees in all disciplines. By operating its vast educational system, India has built-up a capacity to produce more than 500,000 engineers/scientists a year and thousands of doctors, medical researchers, agricultural scientists, managers, teachers, and other highly skilled personnel. All these highly educated personnel work as the prime movers of the country. India could not have gone so high had it not assigned top priority to higher scientific and tech-

nological education, basic research and vocational training. Bangladesh should learn from the experiences of South Korea, Taiwan, China, and India. One must note that none of these countries assigned any lower priority to universal primary education. However, unlike Bangladesh, they simultaneously gave high priority to higher education.

Public-Private Partnership

While balancing its priorities between pre-and-post 12-year education, Bangladesh should also reform its strategies to ensure effective promotion of higher education. Such prioritisation calls for intensive exercise and elaborate planning. In addition to proper planning, the implementation of such plans requires huge amount of financial resources which the government of Bangladesh cannot afford. It is true that in our national budget highest allocations are made for the education sector. But although it was highest relative to other sectors, the allocation was too little to meet the requirements for all sub-sectors of education, particularly for tertiary education. The allocation for higher education is only 0.12 percent as a percentage of GDP. If one separates out the public fund available for research it would be too meagre to be mentioned.

Since public sector will never be able to provide the necessary amount for higher education, the government must take the responsibility to create and maintain an enabling environment so that private individuals and foundations (the potential founders of private universities) are motivated to establish private institutions of higher learning and vocational training. Happily enough, the government has to some extent succeeded in motivating private individuals and non-profit Trusts. By virtue of this 51 private universities have been established. About 1,20,000 students are now studying in these universities. But many founders believe that the government instead of playing the role of facilitator wants to play the role of the controller. The passing of the Private Universities Ordinance 2008 indicates that a confrontational relationship will emerge between the government and founders of the universities. This alleged adversarial relationship must end if quality education is to be provided by the private sector. One must note that without public-private partnership based on cooperation and mutual trust the demand for higher education cannot be met. To nurture public-private partnership the government must encourage private investment through suitable policy instruments like official recognition of the noble mission of the founders of the universities, granting tax incentives, provision of credit at lower rate of interest, granting of Khas land for constructing campus, and pursuing the policy of least intervention in the management of private universities.

Besides, there should be public-private partnership to create large endowment to develop research facilities at the universities. The corporate sector should build up a new culture for promoting basic research capacity in collaboration with universities. The govern-

ment needs to formulate policy that will encourage public-private joint research initiatives.

Conclusion

It is high time to give higher priority to tertiary education otherwise Bangladesh will not be "Digitised Bangladesh" by 2021. But it does not mean that we neglect pre-12 year education. Rather, it is both pre-12 year education and post-12 year higher education in all relevant disciplines including research and professional training for a relatively small number of people that should get their due priority.

Universal primary education should continue to be a national goal. Along with this, perhaps at least 50 percent of the adult population should get secondary and 30 percent higher secondary education. Apart from this a minimum, say 10 percent of the adult population should get post-12 year education. These suggested percentages are to be refined through research. However, it must be noted that unlike primary education, higher education is only for a limited number of highly talented and meritorious persons who are qualified to study at an institution of higher learning. If some members of this group cannot get access to higher education because they are financially disadvantaged, it is the responsibility of the government and founders of the private universities to arrange necessary finances for them.

To be really developed economically, technologically, socially, politically and culturally Bangladesh needs near 100 percent literacy rate, and at the same time a relatively small number, say 5 percent of its adult population must be very highly educated (top level scientists, physicians with a combination of all specialisations, researchers in all disciplines, teachers, top level managers, political leaders, etc who will excel in their respective professions with innovative leadership. The latter group will work as the engine of sustainable growth and development of the country.

To produce such a group of skilled people, the government needs to institutionalise a system of formulating comprehensive national manpower plans projecting manpower needs of every sector for say for every 5-year period. This plan should include the projected number of highly specialised scientists, physicians, engineers, ICT experts, Ph.D.s, top level managers, mid-level personnel well trained in various vocations. On the basis of this manpower plan, a separate plan for promoting/ establishing the required number of public and private universities, research institutions and vocational training institutes must be implemented.

All this means that higher education must get its due priority. As the experiences of many countries with high literacy rate indicate, Bangladesh will remain stagnated at low trap of development if it continues to assign lower priority to higher education as was the case in the past.

Dr. Hafiz G.A. Siddiqi is Vice Chancellor, North South University.

Whither education policy?

M. SHAMSUL HAQUE

AS the newly elected government begins work on formulating a new education policy, newspapers have been publishing serious articles and letters on the subject from home and abroad. Recently I came across three such write-ups. The Daily Star published an article by Dr. H R Khan, a graduate of Harvard School of Education, now teaching Russian to US forces. It is a research based paper where Khan cited statistics on the low achievement of primary school students on various learning objectives. Dr. Khan narrated the importance of the quality of learning achievement as follows: 1. "unable to read and write at the level as they are, children won't be able to learn more complex materials that build upon prior skills and will have to eventually drop out. Soon the country will lack a qualified and skilled and, more importantly, an educated citizenry."

Educated citizenry is needed for building a democratic society, less susceptible to accept extremism, better health conscious and more productive to enhance economic growth, Khan pointed out. For all these to happen in the 21st century, Bangladesh has to take a quantum leap in its education experience. Dr. Khan concluded. He hoped that the newly elected government has got an opportunity to step up improvement in primary education and make tremendous contributions to our nation. (revitalizing education was the theme of his paper). The lacuna in the primary education has been well documented by many others, CAMPE for one. The Daily Star also carried a headline on Feb 7, 2009: "70 pc can't read and write, even after 5-yr study." It also reported that 87% failed to do simple math calculation like addition and subtraction. There is no disagreement on the need to change the situation, as soon as possible, through adopting a broader policy at the

national level.

Mr. Abdul Khaleque, a retired IGP and secretary, published a long paper in The Independent (Vision of Change). He mentioned high dropout at the primary level, too heavy a course load burdened with religious and foreign language studies, etc., and three parallel systems --- normal, madrasa and English --- dividing society into three distinct ways. And this when primary education provides the basis for further education and career. Most importantly, Khaleque gave a chart with 10 by 13 matrixes, grades of schools in the top row and subjects on the left side column. He suggested contact hours in each grade for different subjects: 20 hours at grade 1 and rising to 40 hours at grade 10 per week, primarily intended to change the madrasa system. The chart can be used to combine all the three lines of education up to grade 10 after discussions with the various interest groups under the banner of uniform educa-

tion. Mr. Khaleque is a very senior person with long standing interest in public policy. His suggestion to improve primary and secondary school education can be taken seriously by the new government.

The problems of higher education have also been studied by many individuals and organisations, including the University Grants Commission. The UGC prepared a 20-year visionary plan during the last regime. Reportedly the World Bank offered to finance a major portion of the improvement plan prepared by the UGC and the caretaker government. Money has already been placed with the government for that purpose and it was announced that the plan would be implemented by the newly elected government from January 2009. Eighty percent of the students enroll in colleges under the National University and the low quality of education in these colleges is widely known. Higher education is considered as basic education these days

since skills are required to be attained in English language, computer and analytical methods. Our students fall behind in these skills from pre-university levels in education. Hence such skills must be acquired at tertiary levels. In this respect the UN Declaration on Human Rights 1948 put higher education as a fundamental human right. In our case, those who pass HSC with grades above 2.5 out of 4 may be considered as meritorious and should have an opportunity to join programs in higher studies. There is a clear shortage of places for them in universities in the public and private sectors.

In the past, education policy was framed several times. The first instance was the Khuda Commission in 1975. The debate ultimately staggers on two vital issues. One issue is the medium of instruction and the other is the different streams that have developed over the years in both public and private

CONTINUED ON PAGE 31

BASIC EDUCATION

Broken promises or silverlining in the cloud?

RASHEDA K. CHOUDHURY

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ANGLADESH has made visible progress in expanding access to schooling during the last two decades. The gross primary enrollment rate, which was 61 percent in 1980, increased to 72 percent by 1990 and to 98 percent by 2006. The net primary enrollment rate, as estimated from household survey data, is close to 90 percent. However, as found from micro level evidence, there are large regional variations in the net primary enrollment rate. As with the net primary enrollment rate, the primary completion rate (national average being 67 percent) also varies significantly across regions. Targeting schooling interventions to these regions has proved to be an effective tool to reduce the out-of-school child population.

It has been evident that those who do not enroll in school or do not complete primary education are largely the poor and other disadvantaged groups. Children with disabilities, ethnic and linguistic minorities, children from female-headed households, from inaccessible and remote locations, street children, and those engaged in child labour belong to these categories.

On average, about two-thirds of the students in primary school are present in classes. Intermittent and irregular attendance is a widespread and commonly accepted practice. Besides open exclusion of children who do not enroll or drop out, silent or "virtual exclusion"- children who are nominally enrolled in school, but who attend classes irregularly and do not learn anything is a serious problem that remains unquantified and uninvestigated. "Flexible school calendar", introduced by the last Caretaker Government to facilitate adjustment of school calendar in accordance with local needs situations like disasters, harvesting reasons etc., is expected to increase school attendance rate particularly in remote, inaccessible and tribal areas.

Diverse delivery modes exist both in primary and secondary education. At least 11 types of primary schools are officially listed. However, the official statistics do not include NGO run non-formal primary education even though they follow government curricular objectives and serve 1.5 million children who may otherwise be deprived of primary education. Similarly, different types of provisions in secondary education general Bangla medium schools, Madrashas, vocational/technical institutions, and different types of private English medium schools lack a common unified approach to curricular standards and quality of educational provisions and outcomes, thus reinforcing already existing divisions and inequities in society.

Per student public expenditure in



Bangladesh is one of the lowest in the world, ranging from US\$ 30 to 50 per student per year at both primary (including stipends and free textbooks) and a little higher at secondary levels. This level of public expenditure is never adequate to ensure acceptable quality. Moreover, there are concerns whether the existing resources are used for the right purpose and used efficiently.

At the secondary level, although about half of the children are yet to be enrolled, the expansion has been quite remarkable over the last decade. However, this expansion has not kept pace with the overall output from the system. Eighty percent of the children starting class VI do not pass SSC examination (BU-IED, Access to Education in Bangladesh, 2007).

Less than two percent of students are enrolled in formal vocational technical education after grade VIII. However, these institutions have low completion rates and the graduates are not in great demand in the employment market due to very traditionally oriented system of delivery and lack of demand based courses.

Governance has always been a major area of concern in the education sector. Membership of school management committees is rife with politics and teacher recruitment is often subject to influence from politicians, local elites and other vested interest groups. For the first time in the post liberation period, there has been "no corruption", as discovered by TIB, in teacher recruitment at the primary level during the last Caretaker Government's time (2007-'08). This should be allowed to continue, without any undue influence for ensuring good governance and

quality teaching learning. Teacher absenteeism, although decreased over the last few years, has been a negative phenomenon with teachers placing much greater emphasis on private tutoring than on teaching at schools. There have been numerous textbook production and procurement problems almost every year, with books that are supposed to be distributed for free showing up for sale in the markets. These governance problems contribute to the poor quality of education in Bangladesh, and undermine the gains made in expanding access particularly in reaching out to girls. Thanks to the parents, teachers and pro-girl child policy of successive governments. Bangladesh, despite being the so-called "poor, least developed country", has already achieved gender - parity at the primary and secondary levels.

The rate of adult literacy in the population has always remained as a contentious issue. The continuing debate about the baseline for literacy level and appropriate definition and measurement of literacy skills have not been resolved. However, independent research suggests that there has been insignificant progress in literacy level in the years since 2000. Moreover, there remains a wide gap between literacy levels for rural and urban populations and for men and women.

Quality of education has become "the major issue" at all levels of education. The low quality of education provision at majority of public institutions and indiscriminate commercialization by many private providers have created a "quality divide" between the rich and the poor and the rural and urban popu-

lations. Education, instead of becoming an "equalizer", is increasingly becoming an instrument of inequality.

The recent National Election and the unprecedented victory of the Awami League led Grand Alliance has opened up new opportunities for moving forward with a vision of "Digital Bangladesh" to be achieved before the country reaches its 50th year in 2021. The Election Manifesto of the winning party has clearly spelt out time-bound targets of reaching universal primary enrolment by 2011 and an "illiteracy free" Bangladesh by 2017. These are definitely ambitious goals considering the complex, multiple socio-economic, cultural and systemic constraints associated with public and private provisions for basic education in the country. Education still remains as a "Fundamental Principle" and not a "Fundamental Right" in our Constitution. The ruling party, with its huge majority in the Parliament, should consider enacting the "Right to Education Act" following the example of other countries like India that has done it in the recent past.

A "Permanent Education Commission" with the mandate and authority to continuously and consistently reviewing the gaps and challenges in all the sub-sectors of education is the need of the hour. The ruling party has already committed to institute a "Service Commission" for teachers that are expected to review the long felt demands of teachers for better benefit package and to suggest pragmatic ways of their professional development that can never be overempha-

sized.

Any of these measures including quality provision for teaching-learning would require significant increase in investment in public basic education, but failure to do so will be even more costly. Non-enrollment and high dropout mean high costs, while the benefits of education to society and individuals are much reduced when effective learning does not take place.

"Quality Education for All" should never be conceived as a slogan only, achieving it is not an impossible task either. It can definitely be achieved when all teachers are trained, supported and paid; when every classroom has enough learner friendly textbooks, desks and learning materials; when schools provide a safe and welcoming environment and communities have a say in decision making. The recently elected Upazila Parishad and other local level public representatives could be the facilitators for this process of change for achieving quality education. But they must be given the authority and the resources to make this happen. Above all, it can be achieved when government and civil society build a strong political commitment to the idea of good quality public education for everyone, and take specific steps to improve school conditions in the unserved, underserved, poorest communities and for girls and other disadvantaged groups. Is Bangladesh ready to take that step and move forward to achieve the "Vision 2021"? Or will these remain as lofty goals, only to be used for shifting the goal post further?

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Education policy?

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sectors. The matter that is hardly discussed is that of resources- human and financial. The Bangla daily Naya Diganto carried a headline report on the financial requirement of Tk.60,000 crore if the education policy of the last AL government is implemented now by the new AL government. (Feb 6). At the end of the report two development economists

from DU gave their reactions to such an idea. They raised doubts if spending money on bricks and mortar was at all necessary to bring about changes in primary and secondary education now. The government must emphasise soft resources first. Classes can be held in double shifts and even under trees or in some homes in the locality. What is needed is massive investment in recruitment

of large number of teachers, training of teachers and equipment to bring about improvements quickly and on a lasting basis.

As we discuss the policy parameters on education, it seems the financial burden will pose a threat to implementation. Let us take the case of primary education first. We have seen many dignitaries from other countries, from India in particular,

coming to Bangladesh to study the BRAC program in primary education. What are the requirements in money and teachers if we want the BRAC system to gradually replace the traditional one over the next five years? The caretaker government wanted some limited supervision by BRAC personnel in primary schools on a pilot basis. This was opposed by the teachers' community and the idea

came to naught. Can the elected government take up the matter and see what is needed to put the pilot project into practice in selected areas? Let us go for small changes at the primary level now.

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