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লোক প্রশাসন সাময়িকী



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উপজেলা পরিষদে ভাইস চেয়ারম্যানদের ভূমিকা পালনে অনিশ্চয়তার অবসান: রাজশাহী বিভাগে পরিচালিত একটি সমীক্ষাভিত্তিক বিকল্প অনুসন্ধান ড. মোঃ হাবিবুল্লাহ	০১
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উপজেলা পরিষদে ভাইস চেয়ারম্যানদের ভূমিকা পালনে অনিশ্চয়তার অবসান:
রাজশাহী বিভাগে পরিচালিত একটি সমীক্ষাভিত্তিক বিকল্প অনুসন্ধান
(In Quest of Dissolving Uncertainty in Playing the Role of Vice Chairmen in
Upazilla Parishad (UPZ): A Study Conducted in Rajshahi Division)

ড. মোঃ হাবিবুল্লাহ*

Abstract: The post of two Vice Chairmen in the reinstituted Upazilla Parishad (UPZ) is a new and significant addition for a local self government in Bangladesh. It has been claimed that such an addition is made for a dynamic and active UPZ. But the post of Vice Chairman is being ignored and regretted in the present rules and regulations. No practicable role of the Vice Chairmen is recognized still in the concerned documents so far available. Due to this problem and other realities the UPZ Vice Chairmen are not in a position to become an active part of this authority. As a result the prospects of developing leadership in (and through) UPZ are being threatened and failing to fulfill the aspirations of mass people. This reality cannot ensure the betterment of democratic future of Bangladesh. So UPZ will have to be framed properly and the Vice Chairmen as the significant pillars of this authority must be made active. A well-managed and equitable legal framework may ensure the proper coordinations among stakeholders {(ie. The elected Upazilla Chairmen and two Vice chairmen, the local jatiyo snagsad (JS) member and Upazilla Nirbahi Officer (UNO))} at the Upazilla level.

ভূমিকা

স্থানীয় স্বায়ত্তশাসনের স্তর হিসেবে উপজেলা পরিষদের বিপুল সম্ভাবনা এর কার্যকরিতার ওপর নির্ভরশীল। স্থানীয় এলাকার বিপুল জনগোষ্ঠীর আশা-আকাঙ্ক্ষা, সমস্যা এবং সম্ভাবনার তাৎক্ষণিক এবং সুদূরপ্রসারী সমাধানের গ্রহণযোগ্য এবং কার্যকরী প্রতিষ্ঠান হিসেবে স্থানীয় স্বায়ত্তশাসনের ভূমিকা বিশ্বব্যাপী নন্দিত এবং স্বীকৃত। গণতন্ত্র এবং স্থানীয় স্বায়ত্তশাসন একে অপরের পরিপূরক হিসেবে বিবেচিত হতে পারে। গণতন্ত্র আছে অথচ স্থানীয় স্বায়ত্তশাসন অবহেলিত এমন নজির উন্নত বিশ্বে প্রায় অসম্ভব। তাই স্থানীয় স্বায়ত্তশাসনকে গণতন্ত্রের উপরিকাঠামো বলা হয়। অথচ বাংলাদেশের বাস্তবতা অনেকাংশে এর উল্টো। নির্বাচিত গণতান্ত্রিক শাসন

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ব্যবস্থার অধীনে স্থানীয় স্বায়ত্তশাসন উপেক্ষিত থাকে এবং অনির্বাচিত অগণতান্ত্রিক ব্যবস্থায় স্থানীয় স্বায়ত্তশাসন সমাদৃত হয়। এতে ফলাফল হয় ঠিক এর উল্টো। অর্থাৎ পদে পদে গণতন্ত্রের প্রতিবন্ধকতা। সুতরাং গণতান্ত্রিক শাসনের মূলনীতি যে জনআকাঙ্ক্ষার বাস্তবায়ন, স্থানীয় স্বায়ত্তশাসনের প্রতি গুরুত্ব প্রদানের মাধ্যমেই সেই গণতন্ত্রের ভিত্তিমূল শক্তিশালী করা প্রয়োজন। কিন্তু বাংলাদেশের বিদ্যমান রাজনৈতিক সংস্কৃতির এক বড় ত্রুটি হলো ক্ষমতা চর্চার কেন্দ্রীভূত রূপ নিশ্চিত করা। কেন্দ্রীয় সরকারের এই কেন্দ্রীভূত ক্ষমতা চর্চার দুর্বিনীত আগ্রহ ক্রমশ স্থানীয় স্বায়ত্তশাসনের বিকাশে অন্তরায় সৃষ্টি করে চলেছে। স্থানীয় স্বায়ত্তশাসনের প্রতি কেন্দ্রীয় সরকারের এ ধরনের অনাগ্রহ জনগণের স্বশাসনের আগ্রহের প্রতি বড় ধরনের চ্যালেঞ্জ, যা গণতান্ত্রিক ব্যবস্থার দীর্ঘ স্থায়ীত্বের প্রশ্নে বড় ধরনের হুমকি বলে দাবি করা হয়। তাই প্রায় দেড় দশকের গণতান্ত্রিক শাসনামলে স্থানীয় স্বায়ত্তশাসনের গুরুত্বপূর্ণ অঙ্গ উপজেলা পরিষদ ব্যবস্থা যে জমাট বাঁধা অনিশ্চয়তার অন্ধকারে নিমজ্জিত ছিলো, তা পুনরুদ্ধারে তৎকালীন (২০০৭-২০০৮) অনির্বাচিত তত্ত্বাবধায়ক সরকারের পদক্ষেপ নাগরিক সমাজে প্রশংসিত হয়েছিলো। অনেক সমস্যা-সংকট, বাধা-বিপত্তি এবং অনিশ্চয়তার পর বর্তমান গণতান্ত্রিক সরকারের নির্বাচনী প্রতিশ্রুতি পূরণকল্পেই সম্ভবত উপজেলা পরিষদ নির্বাচন সম্পন্ন হয়েছিলো। নির্বাচন পরবর্তী সময়ে উপজেলা ব্যবস্থা কার্যকর করার প্রশ্নে সরকারের বার বার দ্বিধাযুক্ত নীতি গ্রহণ উপজেলা ব্যবস্থার প্রতি সরকারের অনাগ্রহের বিষয়টি নাগরিক সমাজে সমালোচিত হয়। এমতাবস্থায় উপজেলা ব্যবস্থা এক গভীর সংকটে নিপতিত বলে ধারণা করা হয়। এরই মাঝে নিজেদের অধিকার আদায়ে এবং ক্ষমতা ও কর্তৃত্ব চর্চার প্রশ্নে উপজেলার নির্বাচিত চেয়ারম্যান, সংসদ সদস্যবৃন্দ এবং উপজেলা নির্বাহী অফিসারদের (ইউএনও) মাঝে সমন্বয়হীনতার গুরুতর সমস্যা সৃষ্টি হয়। ত্রিমুখী সমন্বয়ের প্রচেষ্টায় সময়ে সময়ে সরকারের দেয়া প্রস্তাবে সমস্যা সমাধানের চেয়ে সমস্যা ঘনিভূতই হয় বেশি। এর পাশাপাশি উপজেলা পরিষদের ভাইস চেয়ারম্যানদের ক্ষমতা ও কর্তৃত্বের বিষয়টি উপেক্ষিত থেকে যাচ্ছে। বর্তমান প্রবন্ধে উপজেলা পরিষদে নির্বাচিত ভাইস চেয়ারম্যানদের ভূমিকা পালনে অনিশ্চয়তা অবসানের অকুণ্লে একটি বিকল্প নীতিমালার পরামর্শ উপস্থাপিত হবে। এ কাজে রাজশাহী বিভাগের ২০টি উপজেলার ভাইস চেয়ারম্যানের অভিমতকে ভিত্তি হিসেবে বিবেচনায় নেয়া হয়েছে।

সমস্যা:

পুনঃপ্রবর্তিত উপজেলা পরিষদ নির্বাচন পরবর্তী সময়ে পরিষদের কার্যকারিতা প্রশ্নে নানামাত্রিক সমস্যা-সংকট এবং পরিষদের ওপর ক্ষমতা চর্চার ত্রিমুখী লড়াই স্থানীয় স্বায়ত্তশাসনের এই স্তরটির বিপুল সম্ভাবনাকে অন্ধকারে ঠেলে দিচ্ছে বলে দাবি করা

হচ্ছে। নানা বাধা-বিপত্তি সত্ত্বেও নিজেদের অস্তিত্ব, ক্ষমতা এবং কর্তৃত্বের প্রশ্নে উপজেলা চেয়ারম্যানদের সোচ্চার অবস্থান, উন্নয়ন-অগ্রগতি সংক্রান্ত ভূমিকার প্রতি মনোযোগী প্রচেষ্টা চেয়ারম্যানদের পরিষদের ওপর নেতৃত্ব প্রতিষ্ঠায় অবস্থান তৈরি করে দিচ্ছে বলে মনে করা হয়। পরিষদের ওপর ক্ষমতা ও কর্তৃত্ব প্রতিষ্ঠায় চেয়ারম্যানদের আন্দোলনমুখী অবস্থান, সরকারের ওপর মহলে অধিকার আদায়ে লবিং নাগরিক সমাজে এক ধরনের ইতিবাচক প্রতিক্রিয়া সৃষ্টিতে সহায়তা করেছে এবং জনমতের চাপে সরকারও চেয়ারম্যানদের প্রতি নমনীয় মনোভাব দেখাচ্ছে বলে দাবি করা হয়। স্থানীয় সংসদ সদস্য, চেয়ারম্যান এবং ইউএনও'র মধ্যে সমন্বয়ের প্রস্তাবে উভয় পক্ষকে সন্তুষ্ট রাখার এক ধরনের সরকারি মিশ্র উদ্যোগ সেই ধরনেরই ইতিবাচক পদক্ষেপ বলে মনে করা হয়। যদিও ক্ষেত্র বিশেষে এ ধরনের সমন্বয়ের প্রচেষ্টা সমস্যা সমাধানের চেয়ে দ্বন্দ্ব-সংঘাতই বেশি সৃষ্টি করেছে। এতে করে স্থানীয় স্বায়ত্তশাসনের এ স্তরটির ভবিষ্যৎ নিয়েই নাগরিক সমাজে সন্দেহের সৃষ্টি হয়েছে। নেতৃত্ব-ক্ষমতা-কর্তৃত্ব প্রতিষ্ঠায় বিকাশমান এই ত্রিমাত্রিক দ্বন্দ্বিক পরিস্থিতিতে উপজেলা পরিষদের সমস্যা-সংকট এবং ভবিষ্যতের সম্ভাবনাকে প্রশ্নবিদ্ধ করতে পারে বলে অভিযোগ করা হয়। এবং এ সংকট উত্তরণের পথ নকশা হিসেবে সংসদ সদস্য-চেয়ারম্যান-ইউএনও'র মধ্যে সমন্বয়ের প্রায় অদ্বুত-অসম্ভব কিন্তু সময়োচিত পদক্ষেপের দাবি নাগরিক সমাজের পক্ষ থেকেও দেয়া হচ্ছে। অথচ একটি গভীর চিন্তার বিষয় হলো, উপজেলা পরিষদ অর্থ শুধুমাত্র উপজেলা চেয়ারম্যান নয় বরং দু'জন নির্বাচিত ভাইস চেয়ারম্যানসহ চেয়ারম্যানের সমন্বয়ে উপজেলা পরিষদ গঠিত। এবং উপজেলা পরিষদকে কার্যকর করতে হলে উপজেলা চেয়ারম্যানদের সাথে সাথে ভাইস চেয়ারম্যানদের সক্রিয়তার অনিবার্যতা অস্বীকার করার কোনো উপায় নেই। এ সত্য উপলব্ধি করার মতো সচেতনতা নীতি নির্ধারক মহল থেকে প্রকাশিত হয়নি বলে দাবি করা হয়। বিপুল সংখ্যাগরিষ্ঠ জনগোষ্ঠির ভোটে নির্বাচিত, ক্ষেত্র বিশেষে স্থানীয় সংসদ সদস্য-চেয়ারম্যানের চেয়ে বেশি ভোটে নির্বাচিত ভাইস চেয়ারম্যানদের উপেক্ষা-অবহেলা স্থানীয় জনগণের স্বশাসনের আকাঙ্ক্ষা বাস্তবায়ন প্রচেষ্টায় বিঘ্ন সৃষ্টি করবে বলে দাবি করা হয়। উপজেলা চেয়ারম্যানদের আন্দোলনে যুগপৎ অংশগ্রহণ, পরিষদের কার্যকারিতা প্রতিষ্ঠায় আত্মজবাবদিহিতায় উদ্বুদ্ধ অথচ তাদের স্বতন্ত্র ভূমিকার প্রশ্নে সরকারের অনীহা পরিষদে ভাইস চেয়ারম্যানদের অস্তিত্বকে প্রশ্নবিদ্ধ করে তুলেছে। প্রশাসনিক অসহযোগিতা, পরিষদের কর্মকর্তা কর্মচারীদের অপমানজনক মন্তব্য, এমনকি 'টিজিং' এর মতো নিদারুণ যন্ত্রণা তাদের সহ্য করতে হচ্ছে বলে দাবি করা হচ্ছে। পাশাপাশি জনআকাঙ্ক্ষার চাপ পূরণে ব্যর্থ ভাইস চেয়ারম্যানরা পরিষদে এ ধরনের পদের কার্যকারিতার চেয়ে পদের ভারে প্রায় বিপর্যস্ত বলে মনে করা হচ্ছে। সাম্প্রতিক সময়ে সরকারের কতিপয় পদক্ষেপ তাদের এ মনোভাবকে আরো বেশি ঘনিভূত করেছে। উপজেলা চেয়ারম্যান নয় উপজেলা পরিষদের কার্যকারিতা নিশ্চিত করা এখন তাই বড় এক চ্যালেঞ্জ বলে বিবেচনা করা

হচ্ছে। আর এ জন্য সমন্বয় ত্রিমুখী নয় বরং চতুর্মুখী রূপ পরিগ্রহ করা উচিত বলে দাবি করা হচ্ছে। এমন দাবির গ্রহণযোগ্যতা পরীক্ষায় এ গবেষণাকর্ম পরিকল্পনা করা হয়েছে।

উদ্দেশ্য:

- ক) উপজেলা ব্যবস্থা কার্যকার হওয়ার ক্ষেত্রে ভাইস চেয়ারম্যানদের ভূমিকা পালনের অনিশ্চয়তার ক্ষেত্র চিহ্নিত করা।
- খ) ভূমিকা পালনে সমস্যা সম্পর্কে এবং সমাধানের পস্থা প্রণয়নে ভাইস চেয়ারম্যানদের মনোভাব এবং দৃষ্টিভঙ্গি পরীক্ষা করা।
- গ) উপজেলা চেয়ারম্যান- ভাইস চেয়ারম্যান-স্থানীয় সংসদ সদস্য এবং ইউএনও'র মধ্যে বিদ্যমান ভারসাম্যহীন সম্পর্ক পরীক্ষা করা এবং কার্যকরি সমন্বয়ের প্রস্তাব করা।
- ঘ) এ বিষয়ে গণমাধ্যম, আমলা এবং নাগরিক সমাজের মনোভাব পরীক্ষা করা।
- ঙ) এ ক্ষেত্রে ভবিষ্যত গবেষণাকর্মের ক্ষেত্র প্রস্তাব করা।

গবেষণা পদ্ধতি:

গবেষণা সংশ্লিষ্ট প্রয়োজনীয় উপাত্ত ও তথ্য সংগ্রহের জন্য নিম্নলিখিত পদ্ধতিসমূহের সাহায্যে গবেষণা কাজ সম্পাদন করা হয়েছে:

১. তথ্য-উপাত্ত সংগ্রহ

- ক) তথ্য-উপাত্তের প্রাথমিক উৎস: রাজশাহী বিভাগের ৭টি জেলার মোট ২০টি উপজেলার ভাইস চেয়ারম্যান।
- খ) তথ্য-উপাত্তের মাধ্যমিক সূত্র: প্রকাশিত গ্রন্থ, প্রবন্ধ, অপ্রকাশিত গবেষণাকর্ম, মিডিয়া রিপোর্ট ও সরকারি দলিলাদি।
- গ) প্রাথমিক তথ্য-উপাত্ত সংগ্রহ কৌশল:
 - ১) সম্ভাব্য বিকল্প উত্তরসহ নির্ধারিত প্রশ্নমালা ব্যবহার করা হয়েছে।
 - ২) তথ্যাদি সংগ্রহের জন্য অনানুষ্ঠানিক পর্যায়ে যোগাযোগ মাধ্যম ব্যবহার করা হয়েছে।
 - ৩) প্রয়োজন বিবেচনায় কিছু বক্তব্য অডিও রেকর্ড করা হয়েছে।

২. তথ্য-উপাত্ত বিশ্লেষণ

সংগৃহীত প্রাথমিক ও মাধ্যমিক সূত্রের তথ্য-উপাত্ত সামাজিক বিজ্ঞান গবেষণা পদ্ধতির

আলোকে তথ্যাদির শ্রেণীবদ্ধকরণ ও পরিসংখ্যানবিদ্যার নীতি অনুযায়ী উপাত্তসমূহের গড় ও শতকরার ভিত্তিতে সারণিবদ্ধ করে বিশ্লেষণ করা হয়েছে।

সীমাবদ্ধতা:

প্রথমত; উপজেলা পরিষদ ব্যবস্থায় ভাইস চেয়ারম্যান নির্বাচন একটি নতুন পদ্ধতি। সুতরাং পর্যাপ্ত অনুশীলন-পর্যবেক্ষণের সুযোগ না থাকায় এ বিষয়ক মূল্যায়ন-পরামর্শমালা ফলপ্রসূতার বিবেচনায় ঝুঁকিপূর্ণ হতে পারে।

দ্বিতীয়ত; নির্দিষ্ট এলাকা এবং ক্ষুদ্র পরিসরে এ গবেষণাকর্ম পরিচালিত হয়েছে। তাই এ গবেষণালব্ধ ফলাফল সাধারণীকরণে অপরিপূর্ণ বিবেচিত হতে পারে।

ধারণাগত কাঠামো:

প্রস্তাবিত গবেষণাকর্মে স্থানীয় সরকার, স্থানীয় স্বায়ত্তশাসিত সরকার, উপজেলা চেয়ারম্যান, ভাইস চেয়ারম্যান, সংসদ সদস্য, ইউএনও, ক্ষমতা, কর্তৃত্ব ও ভূমিকা প্রভৃতি তাৎপর্যপূর্ণ পরিভাষার প্রয়োগ থাকবে। মূলত ভূমিকা বিষয়ে ধ্রুপদী ও প্রায়োগিক সংজ্ঞার বিষয়ে অধিক মনোযোগ দেয়া হবে।

ক) স্থানীয় সরকার

স্থানীয় সরকার হলো রাষ্ট্রের কেন্দ্রীয় সরকারের স্থানীয় বা এলাকাভিত্তিক প্রশাসনিক কাঠামো, যা নিঃশর্তভাবে কেন্দ্রীয় সরকারের প্রতিনিধিত্ব ও আনুগত্য করে।

খ) স্থানীয় স্বায়ত্তশাসিত সরকার

স্থানীয় বা এলাকাভিত্তিক ভোটের জনগণের দ্বারা নির্বাচিত ও নিয়ন্ত্রিত একটি ব্যবস্থাপনা হলো স্থানীয় স্বায়ত্তশাসিত সরকার, যা রাষ্ট্রীয় ও সরকারি বিধানের আওতায় নির্দিষ্ট কিছু ক্ষেত্রে স্বাধীনভাবে স্থানীয় বিষয়াদির তত্ত্বাবধান, পরিচালনা, ও নিয়ন্ত্রণের দায়িত্ব পালন করে।

গ) উপজেলা চেয়ারম্যান-ভাইসচেয়ারম্যান

বাংলাদেশের অন্যতম প্রশাসনিক একক উপজেলা এলাকার স্বায়ত্তশাসিত কর্তৃপক্ষ হিসেবে সংশ্লিষ্ট এলাকার নাগরিক ভোটের দ্বারা নির্দিষ্ট পদে নির্বাচিত জনপ্রতিনিধিকে বোঝানো হয়।

ঘ) সংসদ সদস্য

বাংলাদেশের জাতীয় সংসদের জন্য চিহ্নিত যে কোনো একটি সাধারণ নির্বাচনী এলাকার আওতাধীন নাগরিক ভোটারদের দ্বারা নির্বাচিত জনপ্রতিনিধিকে সংসদ

সদস্য বলা হয়। একটি ভিন্ন অথচ নির্দিষ্ট প্রক্রিয়ায় জাতীয় সংসদের ‘সংরক্ষিত নারী’ আসনে নির্বাচিত ব্যক্তিগণও সংসদ সদস্য হিসেবে গণ্য।

ঙ) উপজেলা নির্বাহী অফিসার (ইউএনও)

উপজেলা নামক প্রশাসনিক একক পরিচালনায় সরকার কর্তৃক নিযুক্ত-নিয়ন্ত্রিত প্রধান প্রশাসনিক কর্মকর্তাদের বোঝানো হয়।

চ) ভূমিকা (Role)

এ পরিভাষাটি সমাজতত্ত্ব, সামাজিক মনোবিজ্ঞান ও নৃবিজ্ঞানে দু’টি প্রাবর্তিত (ওভারল্যাপড) কিন্তু একই সময়ে ভিন্ন অর্থে ও প্রক্রিয়ায় ব্যবহৃত হয়। সামাজিক কাঠামোর দিক থেকে ‘ভূমিকা’ একটি প্রদত্ত ‘সামাজিক’ অবস্থান হিসেবে সংজ্ঞায়িত হতে পারে। এ সামাজিক অবস্থান একগুচ্ছ (ক) ব্যক্তিগত গুণ এবং (খ) কার্য দ্বারা বিশেষায়িত হতে পারে। সামাজিক আন্তঃক্রিয়া বা ভূমিকা পালন বা সামাজিক আন্তঃক্রিয়ার একটি উপাদান হিসেবে একটি আন্তঃক্রিয়াশীল পরিস্থিতিতে ‘ভূমিকা’কে এক ব্যক্তির জ্ঞাত কার্যক্রমের ধরনসম্পন্ন পরম্পরা বলে সংজ্ঞায়িত করা যায়। সামাজিক বিজ্ঞানে প্রায়শ কোনো অর্থ নির্ধারণ ব্যতীতই ‘ভূমিকা’কে বিভিন্নভাবে ব্যবহার করা হয়েছে।^১ ‘ভূমিকা’-র- দু’টি সাধারণ ব্যবহার হলো: (ক) সমাজের একক হিসেবে ‘ভূমিকা’ এবং (খ) সামাজিক আন্তঃক্রিয়ার অন্য নাম হিসেবে ‘ভূমিকা’ পালন। প্রথমটি ব্যবহার করেছেন R. Linton এবং দ্বিতীয় ধারণার উন্নয়ন ঘটান G.H. Mead।^২

T.R. Sarbin এর মতে ‘ভূমিকা’ হলো আন্তঃক্রিয়াশীল পরিস্থিতিতে এক ব্যক্তির জ্ঞাত কার্যক্রম বা চুক্তির নির্দিষ্ট ধরনসম্পন্ন পরম্পরা।^৩

উপজেলা পরিষদে ভাইস চেয়ারম্যান:

১৯৮২ সালে স্থানীয় সরকার (উপজেলা পরিষদ এবং উপজেলা প্রশাসন পুনর্গঠন) অধ্যাদেশ জারি হয় এবং এর পর উপজেলা পরিষদে দু’বার (১৯৮৩ এবং ১৯৯০) চেয়ারম্যান নির্বাচনও অনুষ্ঠিত হয়।^৪ ১৯৯০ এর গণআন্দোলনে এরশাদ সরকারের পতনের পর ক্ষমতায় আসা বিএনপি সরকার ১৯৯১ সালে বাতিল করে উপজেলা

^১ Neiman & Hugher, J.W., The Problem of the concept of Role: A Re-survey of literature, Vol.30, 1951:141-49

^২ Linton, R., The study of man, Newyork: Appleton century, 1936, Mead, G.H., Mind, Self and society, C.W. Morris (ed.), Chicago: The university of cicago press, 1934.

^৩ Lindzey, 1954: 223-58) Sarbin, T.R, Role theory, G. Lindzey (ed.) Hand book of Social Phychology, Vol.1. Cambridge: mass: Addison- Wesley, 1954.

^৪ দৈনিক ইত্তেফাক, ১২ এপ্রিল ২০০৯।

পরিষদ। এরপর ১৯৯৬ সালে ক্ষমতায় আসা আওয়ামী লীগ (আ.লীগ) সরকারের শেষ সময়ে এ নির্বাচনের ব্যাপারে উদ্যোগ নেওয়া হয়। ২০০১ সালে বিএনপি নেতৃত্বাধীন চারদলীয় জোট সরকার ক্ষমতায় এলে উপজেলা নির্বাচন অনুষ্ঠানের সম্ভাবনা তিরোহিত হয়। ১/১১ পরবর্তী সময়ে ফখরুদ্দীন আহমদের তত্ত্বাবধায়ক সরকার আসার পর পুনঃপ্রবর্তন ঘটে উপজেলা পরিষদের। ২০০৮ সালে উপজেলা পরিষদ আইনে সংশোধনের পর ওই বছরের ৩০ জুন স্থানীয় সরকার (উপজেলা পরিষদ) অধ্যাদেশ ২০০৮ জারি করা হয়।^৭ পরবর্তীতে আ.লীগ নেতৃত্বাধীন মহাজোটের সরকার উক্ত অধ্যাদেশ বাতিল করে উপজেলা পরিষদ (রহিত আইন পুনঃপ্রচলন ও সংশোধন) বিল ২০০৯ সংসদে উত্থাপন করে এবং তা সর্বসম্মতক্রমে পাস হয়। ৬ এপ্রিল ২০০৯ বিলটি পাস হলেও ২০০৮ সালের ৩০ জুন থেকে আইনটি কার্যকর হয়েছে বলে আইনের ১(২) দফায় উল্লেখ করা হয়েছে এবং আইনটি ১৯৯৮ সালে আ.লীগ সরকারের সময়ে করা উপজেলা আইনের সংশোধিত আইন হিসেবে পাস করা হয়। একই সঙ্গে বিগত তত্ত্বাবধায়ক সরকারের সময়ে জারি করা স্থানীয় সরকার (উপজেলা পরিষদ) অধ্যাদেশ ২০০৮ বিলুপ্ত করা হয়।^৮ উপজেলা পরিষদে একজন নির্বাচিত চেয়ারম্যানের পাশাপাশি দু'জন নির্বাচিত (সাধারণ ও সংরক্ষিত) ভাইস চেয়ারম্যান রাখার বিধান করা হয়। এরই ধারাবাহিকতায় ২০০৯ সালের ২২ জানুয়ারি সারা বাংলাদেশে উপজেলা পরিষদ নির্বাচন (চেয়ারম্যান এবং ভাইস চেয়ারম্যান) অনুষ্ঠিত হয়।^৯

উপজেলা ভাইস চেয়ারম্যানের ক্ষমতা ও কর্তৃত্বের আওতা ও পরিধি: বিদ্যমান বাস্তবতা:

উপজেলা পরিষদে স্থানীয় সংসদ সদস্যদের নিরংকুশ ক্ষমতা ও কর্তৃত্ব দিয়ে উপজেলা পরিষদ বিল পাস করা হয়।^{১০} এ আইনের মাধ্যমে উপজেলা পরিষদকে কার্যত সংসদ সদস্যদের অধীনস্থ করা হয়। পরবর্তীতে ভাইস চেয়ারম্যানদের কাজের এখতিয়ার সম্পর্কিত কোনো রূপ নির্দেশনা ছাড়াই উপজেলা পরিষদের কাজ পরিচালনা সংক্রান্ত অন্তর্বর্তী নীতিমালা জারি করা হয়।^{১১} সংশোধিত আইন অনুসারে উপজেলা পরিষদের ১৪টি স্থায়ী কমিটি গঠনের সুপারিশ করা হয়। উপজেলা চেয়ারম্যান এসব কমিটির প্রধান হতে পারবেন না। আইন শৃঙ্খলা, যোগাযোগ ও ভৌত অবকাঠামো উন্নয়ন, কৃষি ও সেচ, শিক্ষা, স্বাস্থ্য ও পরিবার পরিকল্পনা, যুব ও ক্রীড়া উন্নয়ন, মহিলা ও শিশু উন্নয়ন, সমাজকল্যাণ, ভূমি, মৎস্য ও গণ্ড সম্পদ, পল্লী উন্নয়ন ও সমবায়, তথ্য ও

^৭ দৈনিক করতোয়া, ২২ জানুয়ারী ২০০৯।

^৮ প্রথম আলো, ৭ এপ্রিল ২০০৯।

^৯ দৈনিক ইত্তেফাক, ২৪ জানুয়ারী ২০০৯।

^{১০} সমকাল, ৭ এপ্রিল ২০০৯।

^{১১} প্রথম আলো, ৭ মে ২০০৯।

সংস্কৃতি, বন ও পরিবেশ এবং বাজারমূল্য পর্যবেক্ষণ, তদারকি ও নিয়ন্ত্রণ সংক্রান্ত কমিটি। উপজেলার সদস্য বা স্থানীয় অন্য কোনো ব্যক্তি এসব কমিটির সভাপতি হতে পারবেন বলে আইনের নির্দেশনা দেয়া হয়।^{১০} উল্লিখিত কমিটি ব্যবস্থায় ভাইস চেয়ারম্যানদের নেতৃত্ব বিষয়েরও কোনো উল্লেখ নেই। বিষয়টি নিশ্চিতভাবেই নির্বাচিত জনপ্রতিনিধিদের অবমূল্যায়নের শামিল বিবেচনা করা হয় এবং সাংবিধানিকভাবেও বিধানটিকে সাংঘর্ষিক দাবি করা হয়। সাংবিধানের ৫৯ অনুচ্ছেদে আইনানুযায়ী নির্বাচিত ব্যক্তিদের সমন্বয়ে গঠিত প্রতিষ্ঠানসমূহের ওপর প্রজাতন্ত্রের প্রত্যেক প্রশাসনিক একাংশের স্থানীয় শাসনের ভার প্রদান করার সুস্পষ্ট অঙ্গীকার ব্যক্ত করা হয়েছে। অর্থাৎ বাংলাদেশের সংবিধানে স্থানীয় স্বশাসিত সরকার প্রতিষ্ঠানের ওপরই স্থানীয় শাসন পরিচালনার দায়িত্ব অর্পণ করা হয়েছে।^{১১} নবম জাতীয় সংসদের প্রথম অধিবেশনে ১৯৯৮ সালে প্রণীত উপজেলা পরিষদ আইন সংশোধন আকারে অনুমোদন করে। এ আইনের ২৬(২) ধারা অনুযায়ী পরিষদের নির্বাহী ক্ষমতা পরিষদের নিকট হতে ক্ষমতাপ্রাপ্ত চেয়ারম্যান, ভাইস চেয়ারম্যান, সদস্য বা অন্য কোনো কর্মকর্তার মাধ্যমে প্রযুক্ত হবে।^{১২} প্রধান নির্বাহী হিসেবে উপজেলা চেয়ারম্যান এবং তার সহযোগী হিসেবে ভাইস চেয়ারম্যান জনগণের প্রত্যক্ষ ভোটে নির্বাচিত হলেও সংশোধিত আইনের মাধ্যমে নির্বাচিত উপজেলা পরিষদকে উপজেলা ব্যবস্থায় নির্বাহী কর্তৃত্বের অধিকার থেকে বঞ্চিত করা হয়। আবার উক্ত আইনের ৫৩ ও ৫১ ধারায় পরিষদের ওপর সরকারের তত্ত্বাবধান ও নিয়ন্ত্রণের ক্ষমতা দেয়া হয়, যা স্বশাসিত স্থানীয় সরকার প্রতিষ্ঠার চেতনার পরিপন্থী।^{১৩} এ আইনের ২৫নং ধারায় স্থানীয় সংসদ সদস্যকে উপজেলায় উপদেষ্টা রাখার বিধান করা হয় এবং তাদের পরামর্শ গ্রহণ বাধ্যতামূলক করা হয়।^{১৪} এরই মধ্যে অনেক উপজেলার কর্তৃত্ব প্রতিষ্ঠায় স্থানীয় সংসদ সদস্যগণ সক্ষমতা দেখিয়েছেন। উপজেলা নির্বাহী কর্মকর্তাগণও অনেক ক্ষেত্রে সম্ভবত বাধ্য হয়ে উপজেলা চেয়ারম্যান- ভাইস চেয়ারম্যানের পরিবর্তে সংসদ সদস্যের অভিপ্রায়ে কাজ করতে বাধ্য হচ্ছেন।^{১৫} বিরোধী দলের উপজেলা চেয়ারম্যান-ভাইস চেয়ারম্যানের ক্ষেত্রে সরকার দলীয় সংসদ সদস্যের এ কর্তৃত্ব অযৌক্তিক পর্যায়ে পৌঁছেছে বলে মিডিয়ায় প্রচার রয়েছে। এমনকি ক্ষেত্র বিশেষে সংসদ সদস্যদের প্রতিনিধি হিসেবে দলীয় নেতারাও উপজেলার ওপর কর্তৃত্ব করেন বলে অভিযোগ রয়েছে।^{১৬} অথচ নির্বাচিত জনপ্রতিনিধি

^{১০} হাবিবুল্লাহ, মোঃ, উপজেলা চেয়ারম্যান ও স্থানীয় সংসদ সদস্যের ক্ষমতা ও কর্তৃত্বের সমস্যা: একটি পর্যালোচনা, লোক প্রশাসন সাময়িকী, ৪১তম সংখ্যা, ঢাকা: বাংলাদেশ লোক প্রশাসন প্রশিক্ষণ কেন্দ্র, ডিসেম্বর ২০০৬, পৃ:১৪।

^{১১} বিস্তারিত পাঠের জন্য গণপ্রজাতন্ত্রী বাংলাদেশের সংবিধান, ঢাকা: আইন ও বিচার মন্ত্রণালয়, ১৯৯৮।

^{১২} দৈনিক ইত্তেফাক, ৯মে ২০০৯।

^{১৩} হাবিবুল্লাহ, মোঃ, প্রাগুক্ত, পৃ. ১৫।

^{১৪} সুশাসনের জন্য নাগরিক-‘সুজন’ এর ৬মে (২০০৯) তারিখের গোলটেবিল বৈঠকে সুজন সম্পাদক

^{১৫} প্রথম আলো, ৭মে ২০০৯।

^{১৬} দৈনিক ইত্তেফাক, ৯মে ২০০৯।

হয়েও চেয়ারম্যান-ভাইস চেয়ারম্যানরা এ ধরনের বৈধ কর্তৃত্ব চর্চার কোনো বাস্তবভিত্তিক আইনগত অধিকার পাননি। বিশেষত এ আইনে ভাইস চেয়ারম্যানদের দায়িত্বের পরিধি নির্ণয়ের কোনো প্রয়াস লক্ষ করা যায়নি। তাই ভাইস চেয়ারম্যানদের দায়িত্বের পরিধি নির্ণয়ে এ আইনকে অকার্যকর দাবি করা হয়।

উপজেলা পরিষদ চেয়ারম্যান ও ভাইস চেয়ারম্যান বিধিমালা ২০১০:

চেয়ারম্যান ও ভাইস চেয়ারম্যান (দায়িত্ব, কর্তব্য ও আর্থিক সুবিধা) বিধিমালা ২০১০ এ ভাইস চেয়ারম্যানের দায়িত্ব সম্পর্কে বলা হয়, পরিষদ কর্তৃক ক্ষমতাপ্রাপ্ত হয়ে এক বা একাধিক স্থানীয় কমিটির সভাপতি হিসেবে দায়িত্ব পালন করবেন এবং সংশ্লিষ্ট স্থায়ী কমিটির সিদ্ধান্ত বাস্তবায়নে যথাযথ ব্যবস্থা নেবেন। প্যানেলের অগ্রাধিকার অনুসারে চেয়ারম্যানের অনুপস্থিতিতে অস্থায়ী চেয়ারম্যান হিসেবে দায়িত্ব পালন করবেন। মাধ্যমিক শিক্ষা ও মাদ্রাসা শিক্ষা কার্যক্রমের মান উন্নয়নের লক্ষ্যে সংশ্লিষ্ট প্রতিষ্ঠানগুলোর কার্যক্রম তদারক করবেন (যদিও এসব শিক্ষা প্রতিষ্ঠান পরিচালনার সভাপতি মনোনয়ন দেবেন স্থানীয় সংসদ সদস্য এবং মনোনয়ন পাওয়ার ক্ষেত্রে সংসদ সদস্যদের আস্থাভাজন ব্যক্তিরাই প্রাধান্য পেয়ে থাকেন)। তিনি আন্তঃ ইউনিয়নের সংযোগকারী রাস্তা নির্মাণ, মেরামত ও রক্ষণাবেক্ষণ করবেন। সন্ত্রাস, জঙ্গিবাদ, চুরি-ডাকাতি, চোরাচালান, মাদকদ্রব্য ব্যবহার ইত্যাদি অপরাধের বিরুদ্ধে জনমত সৃštisহ প্রতিরোধমূলক কাজ করবেন। পরিবেশ সংরক্ষণ ও সামাজিক বনায়নসহ অন্যান্য কার্যক্রম গ্রহণ করবেন। মহিলা ভাইস চেয়ারম্যানদের ক্ষেত্রে বলা হয়, তারা স্থায়ী কমিটির সভাপতিসহ অন্যান্য দায়িত্বের পাশাপাশি স্বাস্থ্য, পুষ্টি, পরিবার পরিকল্পনা ও মাতৃমঙ্গল সেবা নিশ্চিতকরণে ব্যবস্থা নেবেন। স্যানিটেশন ও পয়োনিষ্কাশন ব্যবস্থার উন্নতি সাধন এবং সুপেয় পানি সরবরাহের ব্যবস্থা নেবেন। মহিলা ও শিশুদের সার্বিক অবস্থার উন্নয়নে করণীয় ব্যবস্থা চিহ্নিতকরণসহ প্রয়োজনীয় সহায়তা দেয়া ও বাস্তবায়ন করা, কুটির শিল্প ও ক্ষুদ্র শিল্প স্থাপন ও বিকাশে উন্নয়ন প্রকল্প নেওয়া এবং নারী ও শিশু নির্যাতন, যৌতুক ও বাল্যবিবাহ রোধে ব্যবস্থা নেওয়া ইত্যাদিও মহিলা ভাইস চেয়ারম্যানের দায়িত্বের মধ্যে পড়ে।^{১৭} উপজেলা পরিষদ

^{১৭} প্রথম আলো, ৪ মার্চ ২০১০।

উল্লেখ করা হয়। ২৬-এর এক নম্বর উপধারায় বলা হয়, ‘এই আইনের অধীনে যাবতীয় কার্যাবলী যথাযথভাবে সম্পাদনের জন্য প্রয়োজনীয় সবকিছু করার ক্ষমতা পরিষদের থাকবে।’ উপধারা ২-এ বলা হয়েছে-, পরিষদের নির্বাহী ক্ষমতা পরিষদের কাছ থেকে ক্ষমতাপ্রাপ্ত চেয়ারম্যান, ভাইস চেয়ারম্যান, সদস্য বা অন্য কোনো কর্মকর্তার মাধ্যমে প্রযুক্ত হবে। বিরোধ সৃষ্টির আশঙ্কা থেকেই এখন উপজেলা চেয়ারম্যানকে প্রধান নির্বাহী করে বিধানটি সুস্পষ্ট করে দেওয়া হচ্ছে। তবে ইউএনও যথারীতি উপজেলা পরিষদের মুখ্য কর্মকর্তা থাকছেন।^{১৮} সংশোধিত বিধানটিতেও উপজেলা ভাইস চেয়ারম্যানদের অবস্থানকে স্পষ্ট করা হয়নি যা উপজেলা ব্যবস্থার সক্রিয়তা প্রশ্নে মোটেও বিবেচনাপ্রসূত উদ্যোগ নয় বলে ভাইস চেয়ারম্যানদের পক্ষ থেকে দাবি করা হয়। পরবর্তীতে উক্ত আইনের সংশোধনীতে স্থায়ী কমিটির সভাপতি কোঅপ্ট সদস্য ব্যতীত পরিষদের ভাইস চেয়ারম্যান ও সদস্যদের মধ্যে থেকে নির্বাচন করার বিধান করা হয়।^{১৯} ভাইস চেয়ারম্যানদের ওপর অর্পিত ক্ষমতা ও কর্তৃত্বের সবটুকুই আলংকারিক এবং অবশ্যই তা নির্বাহী ক্ষমতাসম্পন্ন নয় বলে দাবি করা যায়। মূলত এসব ক্ষমতা ও কর্তৃত্বের নির্বাহী দায়িত্বের অধিকারী হিসেবে স্থানীয় সংসদ সদস্য এবং ইউএনও’র আধিপত্য বহাল রাখতেই ভাইস চেয়ারম্যানদের এমন ক্ষমতাসূন্য কর্তৃত্বের ঘেরাটোপে আটকানো হয়েছে হয়েছে বলে বিশেষজ্ঞদের ধারণা।

মর্যাদা ও আর্থিক সুবিধাদি:

নতুন বিধান অনুযায়ী ভাইস চেয়ারম্যান সাড়ে সাত হাজার টাকা সম্মানী ভাতা পাবেন। এছাড়া সরকারের প্রথম শ্রেণীর কর্মকর্তার জন্য প্রযোজ্য বিধিবিধান অনুসারে সরকার নির্ধারিত হারে ভ্রমণভাতা পাবেন ভাইস চেয়ারম্যান। চেয়ারম্যানের অনুপস্থিতিতে অস্থায়ী চেয়ারম্যান দায়িত্ব ভাতা হিসেবে প্রথম ছয় মাসের জন্য মাসিক একহাজার টাকা করে এবং পরবর্তী সময়ের জন্য মাসিক পাঁচশ টাকা করে কার্যভার ভাতা পাবেন। তবে দায়িত্বকাল একমাসের অধিক না হলে কার্যভার ভাতা প্রাপ্য হবেন না।^{২০} উপজেলা পরিষদের মাসিক সমন্বয় সভায় উপস্থিত হওয়া ছাড়া ভাইস চেয়ারম্যানদের আর কোনো কাজ নেই। এমনকি অফিস কনটেনজেন্সি (আপ্যায়ন ও আনুষঙ্গিক খরচ) বিলও নেই। অফিসে লোকজন আসলে চক্ষু লজ্জার খাতিরে নিজের গাঁটের পয়সা খরচ করে আপ্যায়ন করাতে হয় ভাইস চেয়ারম্যানদের। চেয়ারম্যান ও দু’জন ভাইস চেয়ারম্যানের জন্য মাত্র একজন পিয়ন দেয়া হয়েছে। অথচ ইউএনও’র জন্য কয়েকজন পিয়নের ব্যবস্থা রয়েছে। এরকম একটি অসম্মানজনক এবং কিংকর্তব্যবিমূঢ় পর্যায়ে আটকে গেছে ভাইস চেয়ারম্যানদের ক্ষমতা-কর্তৃত্বের সীমা। মর্যাদা এবং আর্থিক সুবিধাদি বিশ্লেষণ করে তা নগণ্যই দাবি করেছেন ভাইস

^{১৮} কালের কণ্ঠ, ৭ মে ২০১০।

^{১৯} প্রথম আলো, ১৯ এপ্রিল ২০১০।

^{২০} প্রথম আলো, ৪ মার্চ ২০১০।

চেয়ারম্যানরা। সরকারের এই শ্যাম রাখি না কুল রাখি নীতিরও প্রতিবাদ করেছেন জরীপে অংশগ্রহণকারী ভাইস চেয়ারম্যানরা।

অনাস্থা প্রস্তাবের বিধান:

উক্ত আইনের সংশোধনীতে বলা হয়, আইনের বিধানাবলী সাপেক্ষে চেয়ারম্যান এবং ভাইস চেয়ারম্যানকে বরখাস্ত এবং তাদের বিরুদ্ধে অনাস্থা প্রস্তাবের বিধান রাখা হয়েছে।^{১১} অনিয়ম-দুর্নীতির অভিযোগে উঠলে তা তদন্ত করবেন সংশ্লিষ্ট জেলা প্রশাসক। উত্থাপিত কোনো অভিযোগের তদন্ত করে তিনি প্রতিবেদন সুপারিশসহ স্থানীয় সরকার বিভাগে পাঠাবেন। এই বিভাগ এ ধরনের প্রতিবেদন গ্রহণ বা প্রত্যাখান করতে পারবে। আবার তৃতীয় কোনো পক্ষ দিয়ে পুনঃতদন্ত করতে পারবে। তদন্তে দোষী প্রমাণিত হলে স্থানীয় সরকার বিভাগ সংশ্লিষ্ট পরিষদের বিপক্ষে ব্যবস্থা গ্রহণ এমনকি বরখাস্ত করতে পারবে।^{১২}

তাৎক্ষণিকভাবে এ সংশোধনীকে এক অর্থে প্রয়োজনীয় বলে মনে হতে পারে। কিন্তু সূক্ষ্ম বিশ্লেষণে দেখা যায়, এ ধরনের বিধানের রাজনৈতিক অপব্যবহারের সুযোগ থেকে যায়। অবস্থাদৃষ্টে মনে হয় নির্বাচিত পরিষদের সব সময় খেয়াল রাখতে হবে ক্ষমতাসীন মহল বা প্রশাসনের কর্মকর্তারা বিশেষভাবে জেলা প্রশাসকরা যেন কোনো কারণে অসন্তুষ্ট না হন। এভাবে নির্বাচিত পরিষদকে আমলাদের মুখাপেক্ষী করার বিধান কতটুকু গণতান্ত্রিক নীতিমালার সাথে সঙ্গতিপূর্ণ তা ভেবে দেখার বিষয় বলে ভাইস চেয়ারম্যানদের পক্ষ থেকে দাবি করা হয়েছে।

ভাইস চেয়ারম্যানদের আনুষ্ঠানিক দাবি ও কর্মসূচি:

বাংলাদেশ উপজেলা ভাইস চেয়ারম্যান সমন্বয় পরিষদ কর্তৃক গত ৬ জুলাই ২০০৯ জাতীয় প্রেস ক্লাবে আয়োজিত মতবিনিময় সভায় গণতান্ত্রিকভাবে নির্বাচিত হওয়ার পরও সাংবিধানিক অধিকার থেকে তাদের বঞ্চিত করা হচ্ছে বলে অভিযোগ করেন ভাইস চেয়ারম্যানরা।^{১৩} উক্ত সভার ঘোষণা পত্রে ভাইস চেয়ারম্যানদের ক্ষমতা দেয়া; পরিষদে চেয়ারম্যানদের জন্য দেয়া গাড়ি পরিষদের কাজে ব্যবহার করা, চেয়ারম্যানদের অনুপস্থিতিতে ভাইস চেয়ারম্যানদের সভাপতিত্ব করার ক্ষমতা দেয়ার দাবি করা হয়। এছাড়া ভাইস চেয়ারম্যানরা ১০দফা দাবি পূরণে জাতীয় প্রেস ক্লাবে মানব বন্ধন কর্মসূচি পালন করে। এ কর্মসূচি থেকে উপজেলা পরিষদে ভাইস চেয়ারম্যানদের নিষ্ক্রিয়তার জন্য প্রচলিত আইনকে দায়ি করে তা সংশোধনের দাবি করেন ভাইস চেয়ারম্যানরা।^{১৪} ঠিক একই ধরনের দাবি আদায়ের লক্ষ্যে ১৫ মার্চ

^{১১} প্রথম আলো, ১৯ এপ্রিল ২০১০।

^{১২} প্রথম আলো, ১৩মে ২০১০।

^{১৩} প্রথম আলো, ৭ জুলাই ২০০৯।

^{১৪} দৈনিক ইত্তেফাক, ২ আগস্ট ২০০৯।

২০১০ বগুড়ায় মানব বন্ধন কর্মসূচি পালন করা হয়।^{১৫} এসব কর্মসূচী থেকে উত্থাপিত দাবিসমূহের মধ্যে সমন্বয়ের দাবি করেন ভাইস চেয়ারম্যানরা। অধিকন্তু স্থানীয় সরকার ব্যবস্থার সব কর্মকাণ্ডে তাদের অংশগ্রহণ নিশ্চিত করার দাবি করেন ভাইস চেয়ারম্যানরা।

সর্বশেষ জারিকৃত পরিপত্র বাতিল করে স্থানীয় স্বায়ত্তশাসিত সরকারকে কার্যকর করতে জনপ্রতিনিধিদের সম্মান ফিরিয়ে দেয়ার দাবি জানিয়েছে বাংলাদেশ উপজেলা ভাইস চেয়ারম্যান পরিষদ। জনপ্রতিনিধিদের কাজের বাইরে রেখে জারিকৃত পরিপত্র জুন মাসের মধ্যে বাতিল না করলে ১০জুলাই ২০১০ রাজধানীতে মহাসমাবেশের ডাক দেয় সংগঠনটি।^{১৬} জেজুন ভাইস চেয়ারম্যানদের উক্ত প্রতিনিধি সভায় বিভিন্ন দাবি-দাওয়ার পাশাপাশি অসহযোগিতার জন্য উপজেলা চেয়ারম্যানদের প্রতি ক্ষোভ প্রকাশ করা হয়।^{১৭}

দাবি আদায়ে ভাইস চেয়ারম্যানদের অনৈক্য:

ভাইস চেয়ারম্যানদের দাবি আদায়ে এখনো ঐক্যবদ্ধ কোনো সাংগঠনিক তৎপরতা এবং আন্দোলনের অস্তিত্ব নজরে আসেনি। চেয়ারম্যানদের সাথে যুগপৎ আন্দোলনই ভাইস চেয়ারম্যানদের দাবি আদায়ের একমাত্র পন্থা হিসেবে লক্ষ করা যায়। কিন্তু এতে যে ভাইস চেয়ারম্যানদের দাবি-দাওয়া চেয়ারম্যানদের দাবি-দাওয়ার আড়ালেই থেকে যাচ্ছে তা নিশ্চিত করে বলা যায়। মূলত ভাইস চেয়ারম্যানদের অভ্যন্তরীণ দলাদলি, নেতৃত্ব নিয়ে বিরোধ, অব্যবস্থাপনা, মতবিরোধ, দাবি আদায়ের পন্থা নির্বাচনে ভিন্নমত এবং ভিন্ন দলীয় অবস্থান এ ধরনের অনৈক্যের জন্য দায়ী। দাবি আদায়ে রাজপথে আন্দোলন আবার সরকারের সাথে শান্তিপূর্ণ আলোচনার বিষয়ে মতবিরোধের সূত্র ধরে ৬ জুলাই ২০০৯ তারিখের বাংলাদেশ উপজেলা ভাইস চেয়ারম্যান সমন্বয় পরিষদের ব্যানারে আয়োজিত সভা পণ্ড হয়। এখান থেকেই ভাইস চেয়ারম্যানদের একটি ফোরামের আত্মপ্রকাশের কথা থাকলেও শেষ পর্যন্ত অভ্যন্তরীণ হট্টগলের কারণে তা আর সম্ভব হয়নি।^{১৮}

বিদ্যমান বাস্তবতায় ভাইস চেয়ারম্যানদের প্রতিক্রিয়া:

একটি অবাধ, সুষ্ঠু এবং গণতান্ত্রিক প্রক্রিয়ায় নির্বাচিত হওয়ার পরও সংসদ সদস্যদের বিরুদ্ধাচারণ, আমলাদের অসহযোগিতা এবং সরকারের অনীহাই চেয়ারম্যানদের পাশাপাশি ভাইস চেয়ারম্যানদের ক্ষমতায়িত হওয়ার পথে বড় বাধা। অগণতান্ত্রিক এবং অসাংবিধানিক প্রক্রিয়ায় উপজেলা পরিষদের ওপর একচ্ছত্র ক্ষমতা ও কর্তৃত্ব

^{১৫} দৈনিক করতোয়া, ১৬মার্চ ২০১০।

^{১৬} দৈনিক করতোয়া, ৬জুন ২০১০।

^{১৭} প্রথম আলো, ৭ জুলাই, ২০০৯।

প্রতিষ্ঠায় বর্তমান ক্ষমতাসীন এবং বিরোধীদের সংসদ সদস্যদের নজীরবিহীন ঐক্যে উপজেলা পরিষদের ভাইস চেয়ারম্যানরা তীব্র প্রতিক্রিয়া ব্যক্ত করেছেন।

ভাইস চেয়ারম্যানরা নিজ নিজ এলাকায় তুচ্ছ-তাচ্ছিল্যের পর্যায়ে পৌঁছে গেছেন। জনগণের কাছে দেয়া কোনো অঙ্গীকার তারা পূরণ করতে পারছেন না বলে ক্ষোভ প্রকাশ করেন ঝালকাঠি সদর উপজেলার ভাইস চেয়ারম্যান মুস্তাফিজুর রহমান। আর এ সমস্যা সমাধানের জন্য প্রয়োজন সব মহলের সঙ্গে আলোচনা বলে মত দেন তিনি। অন্যদিকে দাবি আদায়ে কর্তৃপক্ষকে বাধ্য করার হুমকী দেন পিরোজপুরের ভাইস চেয়ারম্যান শাহনাজ বেগম। জনগণকে দেওয়া নানা প্রতিশ্রুতির কথা স্মরণ করে দাবি আদায়ে রাজপথে কঠোর আন্দোলনের প্রস্তাব দেন টেকনাফের ভাইস চেয়ারম্যান এইচ. এম. ফিরোজ।^{১৮} কাজ না থাকায় পরিষদে ভাইস চেয়ারম্যানদের কোনো মর্যাদা নেই। আর তাই পরিষদের কর্মচারীরাও ভাইস চেয়ারম্যানদের উপহাস করে বলে অভিযোগ করেন নওগাঁর পত্নীতলা উপজেলা ভাইস চেয়ারম্যান মরিয়ম বেগম শেফা। এ ক্ষেত্রে ইউনিয়ন পরিষদের মেম্বারের চেয়ে সমাজে ভাইস চেয়ারম্যানের মর্যাদা কম বলে আক্ষেপ প্রকাশ করেন পাবনার ভাইস চেয়ারম্যান শামসুল্লাহর রেখা। ‘অনেক ক্ষেত্রে মাননীয় সংসদ সদস্যরা আমাদের কোনো পাত্তাই দিতে চায় না অথচ সংসদ সদস্যদের মতো ভাইস চেয়ারম্যানরাও জনগণের ভোটে নির্বাচিত প্রতিনিধি’ বলে দুঃখ প্রকাশ করেন নারায়নগঞ্জ সদর উপজেলার ভাইস চেয়ারম্যান ফাতেমা মনি।^{১৯}

‘স্থানীয় স্বায়ত্তশাসিত সরকার শক্তিশালী করতে হলে উপজেলা পর্যায়ে চেয়ারম্যানদের পাশাপাশি ভাইস চেয়ারম্যানদেরও সুনির্দিষ্ট কার্যভার দিতে হবে। তাহলেই জনপ্রত্যাশিত স্থানীয় স্বশাসিত সরকার শক্তিশালী হবে’ বলে মত প্রকাশ করেন জয়পুরহাট উপজেলার ভাইস চেয়ারম্যান তিতাস মোস্তফা। কিন্তু উপজেলায় এখনো ভাইস চেয়ারম্যানদের কোনো অবস্থান নেই। এমনকি ইউএনও’রা ভাইস চেয়ারম্যানদের এড়িয়ে যান বলে অভিযোগ করেন জামালগঞ্জ উপজেলার ভাইস চেয়ারম্যান শামিমা শাহরিয়ার।^{২০} ‘সুতরাং উপজেলা পরিষদ নিয়ে সরকার যেটা করছে তা একটি গণতান্ত্রিক দেশে গণতন্ত্র হত্যার শামিল। এমনকি চেয়ারম্যানদের অনুপস্থিতিতে ভাইস চেয়ারম্যানদের দায়িত্ব পালনের যে বিধান রাখা হয়েছে সেখানে অর্থনৈতিক কোনো সিদ্ধান্ত নেওয়ার ক্ষমতা যেমন তাদের নেই তেমনি এধরনের বিধানের কারণে দুই ভাইস চেয়ারম্যানদের মধ্যে দ্বন্দ্ব সৃষ্টির আশংকা প্রকাশ করেন’ জয়পুরহাটের ভাইস চেয়ারম্যান তিতাস মোস্তফা।^{২১} ‘নারী সমাজের প্রতিনিধি হিসেবে যথাযথ সম্মান ও কাজের সুযোগ না থাকায় হতাশা ব্যক্ত করে এ সংশ্লিষ্ট সরকারের

^{১৮} প্রথম আলো, ৬ জুলাই ২০০৯।

^{১৯} দৈনিক ইত্তেফাক, ৬ ডিসেম্বর ২০০৯।

^{২০} দৈনিক করতোয়া, ৭ জুলাই ২০০৯।

^{২১} আমারদেশ, ৭ মে ২০০৯।

নির্বাচনী প্রতিশ্রুতির কথা স্মরণ করিয়ে দেন' সিরাজগঞ্জের কাজীপুর উপজেলার ভাইস চেয়ারম্যান রেহানা খাতুন।^{১৯} 'ইউএনওদের খবরদারির হাত থেকে রক্ষায় উপজেলা ভাইস চেয়ারম্যানদের মর্যাদা উপজেলা পরিষদের তৃতীয় স্থানে রাখার দাবি এবং দাবি পূরণের কোনোরূপ ব্যত্যয় ঘটলে বৃহত্তর আন্দোলনের হুমকি দেন' উপজেলা পরিষদ ভাইস চেয়ারম্যান এসোসিয়েশনের প্রধান সমন্বয়কারী ও কাজীপুর সদর উপজেলার ভাইস চেয়ারম্যান মোঃ জাহাঙ্গীর আলম।^{২০} প্রকৃতপক্ষে মর্যাদা এবং ভূমিকা রাখার ক্ষেত্রে ভাইস চেয়ারম্যানদের রাখা হয়েছে একেবারেই কর্তৃত্বহীন। উপজেলা পরিষদ কমপ্লেক্সে বসার কক্ষ ও সেখানে কিছু চেয়ার-টেবিল ছাড়া তাদের আর কোনো কর্তৃত্ব নেই। মর্যাদার দিক থেকেও তাদের রাখা হয়েছে ইউএনও'র নিচে। উদ্ভূত পরিস্থিতিতে ভাইস চেয়ারম্যানরা বিব্রত, হতভম্ব এবং অসহায়। এ প্রসঙ্গে ভাইস চেয়ারম্যানদের দাবি ইউএনও'র প্রজাতন্ত্রের কর্মচারী। আর ভাইস চেয়ারম্যানরা প্রজাতন্ত্রের মালিক জনগণের প্রতিনিধি। সে ক্ষেত্রে তাদের অবস্থান ইউএনও তথা আমলাদের নিচে থাকায় এবং আমলারা সকল কর্তৃত্ব করায় জনগণের অধিকার ক্ষুণ্ণ হচ্ছে। এ প্রসঙ্গে সুজন (সুশাসনের জন্য নাগরিক) সম্পাদক ড. বদিউল আলম মজুমদার বলেন, নির্বাচিত জনপ্রতিনিধিরা যে পর্যায়েরই হোক তাদের অবস্থান কখনো প্রজাতন্ত্রের কর্মচারীদের নিচে হতে পারে না।^{২১}

ভূমিকাহীন উপজেলা ভাইস চেয়ারম্যান:

তৃণমূল জনগোষ্ঠীর ক্ষমতায়নের লক্ষ্যে স্থানীয় স্বায়ত্তশাসিত সরকার কাঠামো শক্তিশালী করার ধারাবাহিকতায় দীর্ঘ দুই দশক পর উপজেলা পরিষদ নির্বাচন হলেও সরকার-আমলা-সংসদ সদস্যদের অনমনীয় নেতিবাচক মনোভাবের কারণে নির্বাচিত চেয়ারম্যান ও ভাইস চেয়ারম্যানরা ভূমিকাহীন সময় অতিবাহিত করছেন। এ ক্ষেত্রে চেয়ারম্যানরা পরিষদের প্রতীকী প্রধানের স্বীকৃতি পেলেও ৪৮২টি উপজেলার ৯৬৪ ভাইস চেয়ারম্যানের পরিষদের কাজে কোনো ভূমিকা রাখার সুযোগ নেই। কার্যত আমলাতন্ত্র ও আইন প্রণেতাদের কর্তৃত্বেই পরিচালিত হচ্ছে উপজেলার কর্মকাণ্ড।^{২২}

পরিষদের প্রধান হিসেবে চেয়ারম্যানরা পদাধিকার বলে উপজেলার মাসিক সমন্বয় সভায় সভাপতিত্ব করার সুযোগ পাচ্ছেন। কিন্তু পরিষদের অন্য দু'জন ভাইস চেয়ারম্যান একেবারেই কর্তৃত্বহীন। নির্বাচিত জনপ্রতিনিধি হিসেবে পরিষদের কর্মকাণ্ডের বিভিন্ন প্রক্রিয়ায় কর্তৃত্ব-নেতৃত্বতো নেই, এমনকি উপজেলার কোনো প্রকার উন্নয়নমূলক কর্মকাণ্ডেও তাদের ন্যূনতম প্রতিনিধিত্বের সুযোগ নেই। নেই কোনো অবস্থানগত মর্যাদাও।

^{১৯} সাপ্তাহিক বিজয় বাংলা, ২৫ জানুয়ারী, ২০১০।

^{২০} ভোরের কাগজ, ১০ আগস্ট ২০১০।

^{২১} ভোরের কাগজ, ১০ আগস্ট ২০০৯।

^{২২} ভোরের কাগজ, ১০ আগস্ট ২০০৯।

সরকারের নীতি নির্ধারকদের অদূরদর্শিতা, উদাসীনতা ও খামখেয়ালীপনার কারণে উপজেলা পরিষদের প্রয়োজনীয় স্বাভাবিক কর্মকাণ্ড ব্যাহত হচ্ছে। এ পরিস্থিতি সৃষ্টির পেছনে আমলাতন্ত্রের প্রচলন মদদকে দায়ি করছেন এ সংশ্লিষ্ট বিশেষজ্ঞগণ।^{৯০} সে ক্ষেত্রে সরকার দ্রুত বিদ্যমান এই জটিলতা নিরসনে কার্যকর পদক্ষেপ না নিলে তৃণমূল জনগোষ্ঠীর ক্ষমতায়নের অঙ্গীকার ব্যর্থ হবে এবং যেটি হবে বর্তমান সরকারের নির্বাচনী অঙ্গিকারেরও লঙ্ঘন। এতে স্থানীয় স্বায়ত্তশাসিত সরকার আরো দুর্বল হয়ে সরকারের উন্নয়নমূলক কর্মকাণ্ড আমলা-নির্ভর হয়ে পড়বে বলে দাবি করা হয়।

বিদ্যমান পরিস্থিতিতে নিজেদের কাজের পরিধি সম্পর্কে সরকারের কাছে স্পষ্ট ও সুনির্দিষ্ট দিক নির্দেশনা চান উপজেলার ভাইস চেয়ারম্যানরা। একই সঙ্গে ক্ষমতার ভারসাম্য আনতে ওয়ারেন্ট অব প্রিসিডেন্সে তাদের মর্যাদা উপজেলা পরিষদের তৃতীয় স্থানে (ইউএনওদের ওপরে) রাখার দাবি জানান।^{৯১}

মাঠ জরিপের ফলাফল:

বর্তমান গবেষণাকর্মটি বাংলাদেশের রাজশাহী বিভাগের ৭টি জেলা যথাক্রমে রাজশাহী {(মোহনপুর, চারঘাট, বাগমারা, বাঘা, গোদাগাড়ী ও দুর্গাপুর উপজেলা), নাটোর (সিংড়া, গুরুদাসপুর, লালপুর, বড়াইগ্রাম ও নাটোর সদর উপজেলা), নওগাঁ (আত্রাই, পল্লীতলা ও মহাদেবপুর উপজেলা), চাঁপাই নবাবগঞ্জ (শিবগঞ্জ ও গোমস্তাপুর উপজেলা), বগুড়া (শেরপুর ও শিবগঞ্জ উপজেলা), জয়পুরহাট (আক্কেলপুর উপজেলা) এবং পাবনা (আটঘরিয়া উপজেলা)} জেলার উপজেলা পরিষদের নির্বাচিত ভাইস চেয়ারম্যানদের ওপর পরিচালিত হয়েছে। গবেষণার জন্য নির্বাচিত (২০টি) প্রত্যেকটি উপজেলায় দু'জন ভাইস চেয়ারম্যানের (সাধারণ ও সংরক্ষিত) কাছ থেকে নির্দিষ্ট প্রশ্নমালায় তথ্য সংগ্রহ করা হয়েছে। সময় ও যোগাযোগের কিছুটা অপ্রতুলতা এবং গবেষণার জন্য নির্বাচিত কোনো কোনো উপজেলার ভাইস চেয়ারম্যানদের (মোট ৪জন) মতামত প্রদানে অনাগ্রহের কারণে তাদের কাছ থেকে উত্তর সংগ্রহ করা সম্ভব হয়নি। তাই গবেষণাকর্মে উত্তর প্রদানকারী উপজেলা ভাইস চেয়ারম্যানদের মোট সংখ্যা ৩৬জন। নির্দিষ্ট প্রশ্নমালায় গবেষণা সংশ্লিষ্ট কয়েকটি আবদ্ধ প্রশ্নের (Close-ended questions) মাধ্যমে সংগৃহীত উপাত্তকে যাচাই-বাছাইপূর্বক সারণীবদ্ধকরণের মাধ্যমে ফলাফল বিশ্লেষণ করা হয়েছে।

^{৯০} ডোরের কাগজ, ১০ আগস্ট ২০০৯।

^{৯১} ডোরের কাগজ, ১০ আগস্ট ২০০৯।

সারণি ১: রাজনৈতিক দলগত অবস্থানের ভিত্তিতে উপজেলা ভাইস চেয়ারম্যানদের শ্রেণীবিন্যাস

রাজনৈতিক দলের নাম	উত্তরদাতার সংখ্যা	শতকরা হার
আওয়ামী লীগ (আ.লীগ)	২০ জন	৫৫.৫৫%
বিএনপি	১২ জন	৩৩.৩৩%
জাতীয় পার্টি (জাপা)	০১ জন	২.৭৭%
জামায়াতে ইসলামী	০১ জন	২.৭৭%
স্বতন্ত্র	০২ জন	৫.৫৫%
মোট-	৩৬ জন	১০০%

রাজনৈতিক দলগত অবস্থানের ভিত্তিতে উপজেলা ভাইস চেয়ারম্যানদের শ্রেণীবিন্যাস (সারণি -১) এ লক্ষ্য করা যায়, উত্তরদাতা ৩৬ জন ভাইস চেয়ারম্যানদের মধ্যে মোট ২০ জন (৫৫.৫৫%) আওয়ামী লীগের (আ.লীগ) রাজনীতির সাথে সম্পৃক্ত। রাজনৈতিক সংশ্লিষ্টতা প্রশ্নে দেখা যায়, মোট ১২ জন (৩৩.৩৩%) ভাইস চেয়ারম্যান বিএনপি'র রাজনীতিতে জড়িত। উত্তরদাতাদের মধ্যে মোট ১জন (২.৭৭%) জাতীয় পার্টি (জাপা) এবং ১ জন (২.৭৭%) জামায়াতে ইসলামীর রাজনীতির সাথে জড়িত। বাকী ২জন (৫.৫৫%) ভাইস চেয়ারম্যান নিজেদেরকে রাজনীতি নিরপেক্ষ স্বতন্ত্র বলে দাবি করেন।

সারণি ২: উপজেলা পরিষদে ভূমিকা পালন বিষয়ে ভাইস চেয়ারম্যানদের মনোভাবের ভিত্তিতে শ্রেণীবিন্যাস

মনোভাবের ধরন	উত্তরদাতার সংখ্যা	শতকরা হার
ইতিবাচক	৬ জন	১৬.৬৬%
নেতিবাচক	২৭ জন	৭৫%
মতামত প্রদানে বিরত	০৩ জন	৮.৩৩%
মোট -	৩৬ জন	১০০%

প্রদত্ত সারণি -২ এ লক্ষ্য করা যায়, উপজেলা পরিষদে ভাইস চেয়ারম্যানদের ভূমিকা পালন প্রশ্নে ইতিবাচক উত্তর প্রদান করেছেন মোট ৬ জন (১৬.৬৬%) ভাইস চেয়ারম্যান। অর্থাৎ এ শ্রেণীর ভাইস চেয়ারম্যানরা উপজেলা পরিষদে যথাযথ ভূমিকা রাখতে পারছেন বলে মনে করেন। এ শ্রেণীর ভাইস চেয়ারম্যানরা সবাই আওয়ামী লীগের রাজনীতিতে সক্রিয়। দলীয় আনুগত্য এবং ক্ষমতাসীন দলের লোক হওয়ায় কিছুটা সুবিধা প্রাপ্তিই এ ধরনের ইতিবাচক উত্তর প্রদানের জন্য দায়ি বলে অনুমিত হয়। এ বিষয়ে মোট ২৭জন (৭৫%) ভাইস চেয়ারম্যান নেতিবাচক উত্তর প্রদান

করেছেন। দলীয় অবস্থানগত দিক থেকে বিএনপি'র সবাই (১২জন) ভূমিকা পালন প্রশ্নে নেতিবাচক জবাব প্রদান করেছেন। রাজনৈতিক দৃষ্টিভঙ্গিতে বিরোধী দলের ক্ষমতাসীনদের বিরোধী মনোভাবই উন্নয়নশীল দেশের রাজনৈতিক সংস্কৃতি। জাপা ১জন (২.৭৭%), জামায়াতে ইসলামীর ১জন (২.৭৭%) এবং স্বতন্ত্র ২জন (৫.৫৫%) উপজেলা পরিষদে ভাইস চেয়ারম্যানদের কোনো ভূমিকা নেই বলে মনে করেন। মোট ১১জন (৩০.৫৫%) আওয়ামী লীগ দলীয় ভাইস চেয়ারম্যান এ প্রশ্নে নেতিবাচক উত্তর প্রদান করেছেন। দলীয় বিবেচনায় বিরোধী এ মতামত প্রদান উপজেলা পরিষদে ভাইস চেয়ারম্যানদের ভূমিকা পালন প্রশ্নে বাস্তবতা অনুধাবনে গুরুত্বপূর্ণ বিবেচিত হতে পারে। মতামত প্রদানে বিরত থেকেছেন মোট ৩জন (৪.৩৩%)। তাদের সকলেই আ.লীগ সমর্থক ভাইস চেয়ারম্যান।

সারণি ৩: ভূমিকা পালনের ক্ষেত্রে বিদ্যমান প্রতিবন্ধকতা চিহ্নিতকরণের ভিত্তিতে ভাইস চেয়ারম্যানদের শ্রেণীবিন্যাস

মতামতের ধরন	উত্তরদাতার সংখ্যা	শতকরা হার
সুনির্দিষ্ট আইনের অভাব	১৩ জন	৩৬.১১%
প্রশাসনের অসহযোগিতা	০৬ জন	১৬.৬৬%
পরিষদের ওপর স্থানীয় সংসদ সদস্যদের অপ্রত্যাশিত হস্তক্ষেপ	১০ জন	২৭.৭৭%
উপজেলা চেয়ারম্যানদের অসহযোগিতা	০৩ জন	৮.৩৩%
মতামত প্রদানে বিরত	০৪ জন	১১.১১%
মোট -	৩৬ জন	১০০%

প্রদত্ত সারণি -৩ এ লক্ষ করা যায়, উপজেলা পরিষদে ভূমিকা পালনে প্রতিবন্ধকতা চিহ্নিতকরণ প্রসঙ্গে মোট ১৩ জন (৩৬.১১%) ভাইস চেয়ারম্যান সুনির্দিষ্ট আইনের অভাবকে দায়ি করেছেন। এ শ্রেণীর উত্তরদাতাদের মধ্যে আ.লীগ দলীয় ভাইস চেয়ারম্যান ৮জন (২২.২২%) এবং বিএনপি দলীয় মোট ৫জন (১৩.৮৮%) ভাইস চেয়ারম্যান রয়েছেন। প্রতিবন্ধকতা চিহ্নিতকরণে মোট ৬জন (১৬.৬৬%) ভাইস চেয়ারম্যান প্রশাসনের অসহযোগিতাকে দায়ি করেছেন; এর মধ্যে ৪জন (১১.১১%) আ.লীগ দলীয় এবং ২জন (৫.৫৫%) বিএনপি দলীয় ভাইস চেয়ারম্যান। পরিষদের ওপর স্থানীয় সংসদ সদস্যের অপ্রত্যাশিত হস্তক্ষেপকে দায়ি করেছেন মোট ১০জন (২৭.৭৭%) ভাইস চেয়ারম্যান; এর মধ্যে ৩জন (৮.৩৩%) আ.লীগ দলীয়, ৪জন বিএনপি (১১.১১%) দলীয়, জামায়াতের ০১জন (২.৭৭%) এবং ০২জন (৫.৫৫%) স্বতন্ত্র ভাইস চেয়ারম্যান। এ প্রসঙ্গে উপজেলা চেয়ারম্যানদের অসহযোগিতাকে দায়ি করেছেন মোট ৩জন (৮.৩৩%) ভাইস চেয়ারম্যান; এর মধ্যে আ.লীগ দলীয় ১জন (২.৭৭%), বিএনপি দলীয় ১জন (২.৯৯%) এবং জাপা দলীয় ভাইস চেয়ারম্যান রয়েছেন ১জন (২.৭৭%)। এ প্রসঙ্গে মতামত প্রদানে বিরত

থেকেছেন মোট ৪জন (১১.১১%) ভাইস চেয়ারম্যান, যারা সবাই আ.লীগ দলীয় ভাইস চেয়ারম্যান। চিহ্নিত প্রতিবন্ধকতাগুলো দূরীকরণ সাপেক্ষে উপজেলা পরিষদে ভাইস চেয়ারম্যানদের ভূমিকা নিশ্চিত করা যাবে বলেও উত্তরদাতা ভাইস চেয়ারম্যানরা মনে করেন।

সারণি ৪: বিদ্যমান প্রতিবন্ধকতা দূরীকরণে পরামর্শের ভিত্তিতে ভাইস চেয়ারম্যানদের শ্রেণীবিন্যাস

মতামতের ধরন	উত্তরদাতার সংখ্যা	শতকরা হার
আইনগতভাবে ভাইস চেয়ারম্যানদের ক্ষমতা ও এখতিয়ারের সীমা নির্ধারণ	১৭ জন	৪৭.২২%
স্থানীয় সংসদ সদস্যদের মনোভাবের ইতিবাচক পরিবর্তন	০৬ জন	১৬.৬৬%
উপজেলা চেয়ারম্যান নয়, উপজেলা ব্যবস্থাকে কার্যকর করার প্রয়োজনীয় উদ্যোগ গ্রহণ	০৭ জন	১৯.৪৪%
জনকল্যাণবান্ধব প্রশাসন ব্যবস্থা নিশ্চিতকরণ	০৪ জন	১১.১১%
মতামত প্রদানে বিরত	০২ জন	৫.৫৫%
মোট -	৩৬ জন	১০০%

সারণি-৪ এ লক্ষ করা যায়, উত্তরদাতা ভাইস চেয়ারম্যানদের মধ্যে ১৭জন (৪৭.২২%) ভাইস চেয়ারম্যান (আ.লীগের ১০জন, বিএনপি'র ৬জন এবং জাপার ১জন) বিদ্যমান প্রতিবন্ধকতা দূরীকরণের জন্য আইনগতভাবে তাদের ক্ষমতা ও এখতিয়ারের সীমা নির্ধারণের পরামর্শ দেন। আইনগতভাবে ক্ষমতা ও কর্তৃত্ব প্রয়োগের অধিকার পেলে বিদ্যমান সমস্যাগুলো স্বয়ংক্রিয়ভাবে সমাধান হবে বলে তাদের ধারণা। এ প্রশ্নে মোট ৬জন (১৬.৬৬%) ভাইস চেয়ারম্যান স্থানীয় সংসদ সদস্যের মনোভাবের ইতিবাচক পরিবর্তনের দাবি করেন; যাদের মধ্যে আ.লীগের ১জন, বিএনপি'র ২জন, জামায়াতের ১জন এবং ২জন স্বতন্ত্র ভাইস চেয়ারম্যান রয়েছেন। আবার বিদ্যমান সমস্যাগুলোর সমাধানের জন্য কেবলমাত্র উপজেলা চেয়ারম্যানদের প্রতি গুরুত্ব না দিয়ে পুরো ব্যবস্থাটিকে কার্যকর করার প্রতি গুরুত্ব দেন মোট ৭জন (১৯.৪৪%) ভাইস চেয়ারম্যান; এর মধ্যে রয়েছেন আ.লীগের ৩জন এবং বিএনপি'র ৪জন ভাইস চেয়ারম্যান। অন্যদিকে জনকল্যাণবান্ধব প্রশাসন ব্যবস্থা নিশ্চিত হলেই এ ধরনের সমস্যার সমাধান হবে বলে মনে করেন মোট ৪জন (১১.১১%) ভাইস চেয়ারম্যান; যাদের সবাই আ.লীগ দলীয় ভাইস চেয়ারম্যান। মোট ২জন (৫.৫৫%) আ.লীগ দলীয় ভাইস চেয়ারম্যান এ সংশ্লিষ্ট মতামত প্রদানে বিরত থেকেছেন।

সারণি ৫: উপজেলা পরিষদের ক্ষমতা ও কর্তৃত্ব আদায়ে রাজনৈতিক কর্মসূচি বিষয়ে দৃষ্টিভঙ্গীর ভিত্তিতে ভাইস চেয়ারম্যানদের শ্রেণীবিন্যাস

মতামতের ধরন	উত্তরদাতার সংখ্যা	শতকরা হার
ইতিবাচক	২৭ জন	৭৫%
নেতিবাচক	০৭ জন	১৯.৪৪%
মতামত প্রদানে বিরত	০২ জন	৫.৫৫%
মোট -	৩৬ জন	১০০%

সারণিতে (৫) বিদ্যমান অনিশ্চয়তার প্রেক্ষিতে ক্ষমতা ও কর্তৃত্ব আদায়ের প্রশ্নে রাজনৈতিক কর্মসূচি প্রদানের প্রতি সমর্থনে ইতিবাচক সাড়া প্রদান করেছেন মোট ২৭জন (৭৫%) ভাইস চেয়ারম্যান; এর মধ্যে আ.লীগের ১৫জন, বিএনপি'র ৮জন, স্বতন্ত্র ২জন, জামায়াতের ১জন এবং জাপার ১জন ভাইস চেয়ারম্যান রয়েছেন। নিয়মতান্ত্রিক পথে দাবি আদায়ে অনিশ্চয়তার আশংকার প্রেক্ষিতেই বৃহত্তর রাজনৈতিক কর্মসূচির প্রতি সমর্থন ব্যক্ত করেছেন এ শ্রেণীর ভাইস চেয়ারম্যানরা। মোট ৭জন (১৯.৪৪%) ভাইস চেয়ারম্যান রাজনৈতিক কর্মসূচির পরিবর্তে নিয়মতান্ত্রিক উপায়েই দাবি আদায়ের পক্ষে মতামত ব্যক্ত করেছেন। তাদের মধ্যে আ.লীগ দলীয় ৫জন এবং বিএনপি দলীয় ভাইস চেয়ারম্যান রয়েছেন ২জন। সরকার আন্তরিক না হলে দাবি আদায়ে রাজনৈতিক কর্মসূচির মাধ্যমে চেয়ারম্যানরাই লাভবান হবেন, ভাইস চেয়ারম্যানরা নয় বলে মনে করেন এ শ্রেণীর ভাইস চেয়ারম্যানরা। বাকী ২জন (৫.৫৫%) ভাইস চেয়ারম্যান এ সংশ্লিষ্ট মতামত প্রকাশে বিরত থেকেছেন; যাদের ১জন আ.লীগ দলীয় এবং অন্যজন বিএনপি দলীয় ভাইস চেয়ারম্যান।

সারণি ৬: উপজেলা পরিষদে চেয়ারম্যানদের একক ক্ষমতা ও কর্তৃত্ব বিষয়ে মনোভাবের ভিত্তিতে শ্রেণীবিন্যাস

মতামতের ধরন	উত্তরদাতার সংখ্যা	শতকরা হার
ইতিবাচক	০০ জন	০০%
নেতিবাচক	৩৪ জন	৯৪.৪৪%
মতামত নেই	০২ জন	৫.৫৫%
মোট -	৩৬ জন	১০০%

সারণিতে (৬) মোট ৩৪ জন (৯৪.৪৪%) ভাইস চেয়ারম্যান উপজেলা পরিষদে চেয়ারম্যানদের একক ক্ষমতা ও কর্তৃত্বের বিরোধিতা করেছেন। উপজেলা ব্যবস্থাকে কার্যকর করার প্রতিই দৃঢ় সমর্থন ব্যক্ত করেছেন এ শ্রেণীর উত্তরদাতা ভাইস চেয়ারম্যানরা। এর স্বপক্ষে যুক্তি হিসেবে যে কোনো প্রতিষ্ঠান একক ব্যক্তির চেয়ে

একাধিক ব্যক্তির সমন্বয়ে কার্যকর ও গতিশীল হতে পারে বলে তারা মনে করেন। তাছাড়া ভৌগোলিক দিক থেকে ইউনিয়নের তুলনায় উপজেলা বৃহৎ এলাকা হওয়ায় ভবিষ্যতে পরিষদের ভাইস চেয়ারম্যান সংখ্যা বাড়ানোর পরামর্শ দেন এ শ্রেণীর উত্তরদাতারা। এতে সমস্যা চিহ্নিতপূর্বক অগ্রাধিকারভিত্তিক সমাধানে পরিষদ গতিশীল ভূমিকা পালন করতে পারবে বলে তাদের ধারণা। প্রদত্ত সারণীতে লক্ষণীয় এবং তাৎপর্যপূর্ণ বিষয় হলো উপজেলা পরিষদে চেয়ারম্যানদের একক ক্ষমতা ও কর্তৃত্বের প্রতি ন্যূনতম সমর্থনও পাওয়া যায়নি (০০%)। এ সংশ্লিষ্ট মতামত প্রকাশে মোট ২জন (৫.৫৫%) আ.লীগ দলীয় ভাইস চেয়ারম্যান মতামত প্রকাশে বিরত থেকেছেন।

সারণি ৭: উপজেলা পরিষদে স্থানীয় সংসদ সদস্যের ক্ষমতা ও কর্তৃত্ব বিষয়ে মনোভাবের ভিত্তিতে শ্রেণীবিন্যাস

মতামতের ধরন	উত্তরদাতার সংখ্যা	শতকরা হার
ইতিবাচক	০৪ জন	১১.১১%
নেতিবাচক	২৮ জন	৭৭.১১%
মতামত নেই	০৪ জন	১১.১১%
মোট -	৩৬ জন	১০০%

উপর্যুক্ত সারণিতে (৭) লক্ষ করা যায়, উপজেলা পরিষদে স্থানীয় সংসদ সদস্যের ক্ষমতা ও কর্তৃত্বের প্রশ্নে বিরোধিতা করেছেন মোট ২৮ জন (৭৭.১১%) ভাইস চেয়ারম্যান। দলমত নির্বিশেষে উপজেলা পরিষদে স্থানীয় সংসদ সদস্যদের ক্ষমতা ও কর্তৃত্ব চর্চাকে পরিষদ কার্যকর হওয়ার পথে সবচেয়ে বড় বাধা হিসেবে চিহ্নিত করেছেন এ উত্তরদাতা শ্রেণীর ভাইস চেয়ারম্যানরা। সাংবিধানিকভাবে অর্পিত দায়িত্ব কর্তব্য পালনে সংসদ সদস্যগণকে মনোযোগী থাকার পরামর্শও দিয়েছেন তারা। এ সংশ্লিষ্ট মনোভাব প্রকাশে মোট ৪ জন (১১.১১%) ভাইস চেয়ারম্যান পরিষদে সংসদ সদস্যের ক্ষমতা ও কর্তৃত্ব চর্চাকে সমর্থন করেছেন। আ.লীগের রাজনীতিতে অত্যন্ত সক্রিয় এ শ্রেণীর ভাইস চেয়ারম্যানরা দলীয় আনুগত্য এবং স্থানীয় সংসদ সদস্য আ.লীগ দলীয় হওয়ায় তাদের ভূমিকার প্রতি সহনশীলতার দৃষ্টিভঙ্গি থেকেই এমন মনোভাব দেখিয়েছেন প্রতীয়মান হয়। বাকী ৪ জন (১১.১১%); এরমধ্যে ২ জন (৫.৫৫%) আ.লীগ এবং ২ জন (৫.৫৫%) বিএনপি দলীয় ভাইস চেয়ারম্যান এ সংশ্লিষ্ট প্রকাশে বিরত থেকেছেন।

সারণী ৮: উপজেলা পরিষদে ইউএনও'র নির্বাহী ক্ষমতা বিষয়ে মনোভাবের ভিত্তিতে শ্রেণীবিন্যাস

মতামতের ধরন	উত্তরদাতার সংখ্যা	শতকরা হার
ইতিবাচক	০৪ জন	১১.১১%
নেতিবাচক	৩১ জন	৮৬.১১%
মতামত প্রদানে বিরত	০১ জন	২.৭৭%
মোট -	৩৬ জন	১০০%

সারণিতে (৮) লক্ষ করা যায়, উপজেলা পরিষদে ইউএনও'র নির্বাহী ক্ষমতা চর্চাকে সমর্থন করেন মোট ৪ জন (১১.১১%) ভাইস চেয়ারম্যান; যাদের সবার আ.লীগের রাজনীতিতে সক্রিয়তা রয়েছে। ক্ষমতাসীন রাজনৈতিক দলের লোক হওয়ায় সরকারের সিদ্ধান্তের বিরোধিতা সঠিক নয় বিবেচনায় এমন মতামত দিয়েছেন বলে প্রতীয়মান হয়। এ ধরনের মনোভাব প্রকাশে বাকী ৩২ জনের ৩১ জনই (৮৬.১১%) ইউএনও'র নির্বাহী ক্ষমতা চর্চার বিরোধিতা করেন। এ ধরনের পদক্ষেপকে জনআকাঙ্ক্ষা অনুকূল স্থানীয় স্বায়ত্তশাসন বিকাশে তারা নগ্ন হস্তক্ষেপ হিসেবে দাবি করেছেন। কেবলমাত্র ১ জন আ.লীগ দলীয় ভাইস চেয়ারম্যান এ বিষয়ে মতামত প্রদানে বিরত থেকেছেন।

সারণি ৯: ইউএনও'র নির্বাহী ক্ষমতার বিপক্ষে যুক্তি উপস্থাপনের ভিত্তিতে ভাইস চেয়ারম্যানদের শ্রেণীবিন্যাস

মতামতের ধরন	উত্তরদাতার সংখ্যা	শতকরা হার
এ ধরনের ক্ষমতা স্থানীয় স্বায়ত্তশাসন নীতিমালার পরিপন্থী	১০ জন	২৭.৭৭%
স্থানীয় উন্নয়নে ইউএনও নির্বাচিত প্রতিনিধিদের মতো অস্বীকারাবদ্ধ নয়	০৫ জন	১৩.৮৮%
সাচিবিক দায়িত্ব পালনেই ইউএনও'র ক্ষমতা সীমাবদ্ধ থাকা উচিত	০৬ জন	১৬.৬৬%
আমলা নির্ভর স্থানীয় স্বায়ত্তশাসন	১১ জন	৩০.৫৫%
মতামত প্রদানে বিরত	০৪ জন	১১.১১%
মোট -	৩৬ জন	১০০%

উপযুক্ত সারণিতে (৯) উপজেলা পরিষদে ইউএনও'র নির্বাহী ক্ষমতার বিপক্ষে ভাইস চেয়ারম্যানরা মোট ৪টি যুক্তি উপস্থাপন করেছেন। উত্তরদাতা ভাইস চেয়ারম্যানদের মধ্যে মোট ১০ জন (২৭.৭৭%) এ ধরনের ক্ষমতাকে স্থানীয় স্বায়ত্তশাসন নীতির পরিপন্থী হিসেবে চিহ্নিত করেছেন; যাদের মধ্যে আ.লীগ দলীয় ৩ জন, বিএনপি দলীয় ৪ জন, স্বতন্ত্র ২ জন এবং জামায়াত দলীয় ১ জন ভাইস চেয়ারম্যান রয়েছেন। মোট ৫ জন (১৩.৮৮%) ভাইস চেয়ারম্যান স্থানীয় উন্নয়নে ইউএনও নির্বাচিত প্রতিনিধিদের মতো অস্বীকারাবদ্ধ নয় দাবি করে এ ধরনের ক্ষমতার বিরোধিতা করেন; যাদের মধ্যে আ.লীগ দলীয় ভাইস চেয়ারম্যান রয়েছেন ৪ জন এবং বিএনপি দলীয়

১ জন ভাইস চেয়ারম্যান। নির্বাহী ক্ষমতা নয় বরং সাচিবিক দায়িত্ব পালনে ইউএনও'র ক্ষমতা সীমাবদ্ধ থাকা উচিত বলে মনে করেন উত্তরদাতা ৬ জন (১৬.৬৬%) ভাইস চেয়ারম্যান (৩ জন আ.লীগ এবং ৩ জন বিএনপি দলীয়)। ইউএনওদের এ ধরনের ক্ষমতা ও কর্তৃত্ব দিলে স্থানীয় স্বায়ত্তশাসন আমলানির্ভর হয়ে পড়বে এবং আমলানির্ভর স্বায়ত্তশাসন কখনো জনকল্যাণবান্ধব হয় না বলে দাবি করেন মোট ১১ জন (৩০.৫৫%) ভাইস চেয়ারম্যান; দলীয়ভাবে তাদের অবস্থান যথাক্রমে আ.লীগ ৬ জন, বিএনপি ৪ জন এবং জাপার ১ জন। মোট ৪ জন (১১.১১%) আ.লীগ দলীয় ভাইস চেয়ারম্যান এ বিষয়ে মতামত প্রকাশে বিরত থেকেছেন।

সারণি ১০: ইউএনওদের সাথে সম্পর্ক নির্ধারণ প্রসঙ্গে মনোভাবের ভিত্তিতে ভাইস চেয়ারম্যানদের শ্রেণীবিন্যাস

মতামতের ধরন	উত্তরদাতার সংখ্যা	শতকরা হার
ভাইস চেয়ারম্যানকে উচ্চতর মর্যাদা প্রদান	১৩ জন	৩৬.১১%
ইউএনও'র উচ্চতর মর্যাদা বহাল	০১ জন	২.৭৭%
ইউএনও- ভাইস চেয়ারম্যান উভয়ের সমান মর্যাদা	০১ জন	২.৭৭%
স্ব-স্ব দায়িত্ব নির্দিষ্ট হলে এ ধরনের সম্পর্ক নির্ধারণের অবকাশ নেই	১৯ জন	৫২.৭৭%
মতামত প্রদানে বিরত	০২ জন	৫.৫৫%
মোট -	৩৬ জন	১০০%

উপর্যুক্ত সারণিতে (১০) লক্ষ করা যায়, ইউএনওদের সাথে সম্পর্ক নির্ধারণ মোট ১৩ জন (৩৬.১১%) ভাইস চেয়ারম্যান (আ.লীগ ৭ জন, স্বতন্ত্র ২ জন, বিএনপি ২ জন, জাপা ১ জন এবং জামায়াত ১ জন) ইউএনও'র চেয়ে অধিক মর্যাদা দাবি করেন। অপেক্ষাকৃত সচেতন এ শ্রেণীর ভাইস চেয়ারম্যানরা সর্বাবস্থায় আমলাদের তুলনায় নির্বাচিত যে কোনো জনপ্রতিনিধিদের অধিক মর্যাদাবান হিসেবে দাবি করেন। আবার মোট ১৯ জন (৫২.৭৭%) ভাইস চেয়ারম্যান (বিএনপি দলীয় ১০ জন এবং আ.লীগ দলীয় ৯ জন) স্ব-স্ব ক্ষেত্রে দায়িত্ব নির্দিষ্ট করার দাবি করে বলেন দায়িত্ব নির্দিষ্ট হলে এ ধরনের সম্পর্ক নির্ধারণের কোনো প্রয়োজন নেই। উত্তরদাতা ১ জন (২.৭৭%) আ.লীগ দলীয় ভাইস চেয়ারম্যান ইউএনও'র মর্যাদা বহাল রাখার মতামত প্রদান করে এর স্বপক্ষে 'ইউএনও'র উচ্চ শিক্ষা এবং সরকারি কর্মকর্তা হওয়ার যুক্তি তুলে ধরেন। অন্যদিকে ১ জন (২.৭৭%) আ.লীগ দলীয় ভাইস চেয়ারম্যানের উভয়ের সমান মর্যাদার দেওয়ার মতামত প্রকাশ করে দাবি করেন সমান মর্যাদা দিলে পরিষদে ইউএনও'র সাথে বিদ্যমান সমস্যা- সংকট এবং অবিশ্বাস-আস্থাহীনতার পরিবর্তে সমন্বয়- সহযোগিতার পরিবেশ তৈরি হবে এবং এতে পরিষদ কার্যকর হবে। আ.লীগ দলীয় মোট ২ জন ভাইস চেয়ারম্যান (৫.৫৫%) এ সংক্রান্ত মতামত প্রদানে বিরত থেকেছেন।

সমস্যা-সংকট নিরসনে সম্ভাব্য পরামর্শমালা:

মাঠ জরিপে প্রাপ্ত ফলাফল বিশ্লেষণে করে উপজেলা পরিষদে ভাইস চেয়ারম্যানের ভূমিকা পালনের অনিশ্চয়তা দূরীকরণে কয়েকটি পরামর্শ উপস্থাপন করা হলো;

- (১) বিধিগতভাবে ভাইস চেয়ারম্যানের ক্ষমতা ও কর্তৃত্বের সীমা স্পষ্টকরণ।
- (২) উপজেলা পরিষদের যাবতীয় উন্নয়ন পরিকল্পনায় ভাইস চেয়ারম্যানদের নির্দিষ্ট মাত্রা বা অনুপাতে অংশগ্রহণ নিশ্চিতকরণ এবং পরিকল্পনা বাস্তবায়নে ভাইস চেয়ারম্যানদের অভিমতের যৌক্তিক বাস্তবায়ন।
- (৩) উপজেলা চেয়ারম্যানদের অনুপস্থিতিতে পরিষদের কর্তৃত্বের ভার আবর্তনভিত্তিক ভাইস চেয়ারম্যানদের ওপর অর্পণ এবং সে সময়ের অর্থনৈতিক ক্ষমতাসহ বিধিগত যাবতীয় ক্ষমতা প্রয়োগের অধিকার প্রদান।
- (৪) ভাইস চেয়ারম্যানদের দাপ্তরিক কাজে সুযোগ-সুবিধা প্রদান, অফিস ব্যবস্থাপনায় প্রয়োজনীয় অর্থ এবং লোকবল সংস্থান এবং পরিবহন সুবিধা প্রদান।
- (৫) চেয়ারম্যানদের পাশাপাশি ভাইস চেয়ারম্যানদের নামে কেন্দ্রীয় থোক বরাদ্দ বিতরণ এবং তার ব্যয়ে সঠিক হিসাব নিরীক্ষণ নিশ্চিতকরণ।
- (৬) ইউএনওদের উর্ধ্বে ভাইস চেয়ারম্যানদের অবস্থান নির্ধারণ এবং সংশ্লিষ্ট সব ক্ষেত্রে ভাইস চেয়ারম্যানের তত্ত্বাবধান-অধীনে ইউএনওদের কাজ করার মনোভাব সঞ্চালনে সরকারি নির্দেশনা জারিকরণ।
- (৭) চেয়ারম্যান-ভাইস চেয়ারম্যান এবং ইউএনও'র মধ্যকার ভুল বোঝাবুঝি, সন্দেহ, অবিশ্বাস দূর করে সবার মধ্যে সহিষ্ণুতার মনোভাব প্রদর্শনে প্রয়োজনীয় উদ্বুদ্ধকরণ কার্যক্রম গ্রহণ।
- (৮) উপজেলা পরিষদে স্থানীয় সংসদ সদস্যদের বাধ্যতামূলক উপদেষ্টা রাখার বিধান রহিতকরণ।
- (৯) সংশ্লিষ্ট উপজেলা এলাকায় নারী উন্নয়ন সংক্রান্ত যাবতীয় উদ্যোগ-তত্ত্বাবধানের দায়িত্ব মহিলা ভাইস চেয়ারম্যানের ওপর অর্পণ। এতে সাধারণ ভাইস চেয়ারম্যান এবং মহিলা ভাইস চেয়ারম্যানের মধ্যে ক্ষমতার ভারসাম্য প্রশ্নে এক ধরনের সমঝোতা হতে পারে।
- (১০) নির্বাচিত উপজেলা চেয়ারম্যান ও ভাইস চেয়ারম্যানদের জন্য প্রয়োজনীয় প্রশিক্ষণের আয়োজন। ব্যতিক্রমধর্মী এ প্রশিক্ষণের মাধ্যমে তাদের মধ্যে নির্দিষ্ট ধরনের প্রত্যয় ও প্রতিশ্রুতির সৃষ্টি হতে পারে। তাদের প্রশিক্ষণের মূল

লক্ষ্য হতে হবে সুস্পষ্ট কার্যক্রম চিহ্নিত করা, কার্যক্রমগুলো আইনানুগভাবে বাস্তবায়নের জন্য পথরেখা খোঁজা এবং সততা এবং নিষ্ঠার সঙ্গে তা করার জন্য তাদের অঙ্গীকারাবদ্ধ করা। পরিষদকে সচল করা চেয়ারম্যান এবং ভাইস চেয়ারম্যানের যৌথ দায়িত্ব এই বোধ জাগ্রত করা।

- (১১) নির্বাচিত জনপ্রতিনিধিদের বিরুদ্ধে অনিয়ম-দুর্নীতির যে কোনো অভিযোগের সুষ্ঠু তদন্তের একটি নির্ভরযোগ্য ব্যবস্থা অবশ্যই থাকা প্রয়োজন। স্থানীয় সরকার কমিশনের মাধ্যমেই এ ধরনের তদন্তের নিষ্পত্তি হওয়া প্রয়োজন। এ জন্য প্রয়োজনে জাতীয় সংসদে সংশ্লিষ্ট বিল এনে তার ওপর সরকার এবং বিরোধী দলের বিতর্ক হওয়া উচিত। সংসদের ওয়েবসাইটের মাধ্যমে সব মহলের মতামত গ্রহণের ব্যবস্থা করা যেতে পারে। সংশ্লিষ্ট সবার মতামতের ভিত্তিতে স্থানীয় সরকার কমিশন গঠন করলে স্থানীয় সরকারের ক্ষমতায়নের বিষয়ে অনেক প্রশ্নের মীমাংসা হতে পারে।

উপসংহার:

সমস্যা, সংকট এবং সম্ভাবনার ঘূর্ণাবর্তে ঘুরছে উপজেলা পরিষদের ভবিষ্যত। জনআকাজ্জার প্রতি উপেক্ষা-অবহেলা দেখিয়ে ক্রমাশয়ে উপজেলা পরিষদকে নিষ্ক্রিয় করার অপ্রত্যাশিত এবং অনির্ভরযোগ্য বিধিমালা ও কার্যক্রম চিহ্নিত করেছেন ভুক্তভোগী ও বিশেষজ্ঞ মহল। উপজেলা চেয়ারম্যান ও সংসদ সদস্যদের ক্ষমতা ও কর্তৃত্বের বিতর্কের আড়ালে ভাইস চেয়ারম্যানদের কর্তৃত্বহীনতার বিষয়টি উপজেলা পরিষদের নিষ্ক্রিয়তার আশংকাকে দৃঢ়তর করেছে বলে দাবি করা হচ্ছে। জনপ্রতিনিধিরা গণতান্ত্রিক নেতৃত্বের আগ্রহ হারাচ্ছেন বলে দাবি উঠেছে। আর এতে স্থানীয় স্বায়ত্তশাসিত সরকার ব্যবস্থা শক্তিশালী হওয়াতো দূরের কথা ক্রমাশয়ে আরো দুর্বল হয়ে পড়ছে। এই সংকটময় পরিস্থিতি সৃষ্টির জন্য আমলাতন্ত্র এবং ক্ষমতাসীন এবং বিরোধীদলের প্রভাবশালী নেতৃত্বের অনীহাকে দায়ি করা হচ্ছে। এ ধরনের অভিযোগ আমলাতন্ত্র এবং রাজনৈতিক দলের জন্য শুভ নয়। প্রজাতন্ত্রের মালিক হিসেবে জনআকাজ্জার প্রতি ইতিবাচক সাড়া আমলাতন্ত্র এবং রাজনৈতিক দলের জন্য আবশ্যকীয় কর্তব্য হিসেবে বিবেচিত হয়ে থাকে। তাই সরকারের উচিত যে কোনো ধরনের বাধা-বিপত্তিকে অতিক্রম করে দ্রুত উপজেলা পরিষদ কার্যকর করার জন্য প্রয়োজনীয় উদ্যোগ গ্রহণ করা যাতে তৃণমূল জনগোষ্ঠীর ক্ষমতায়নের বিষয়টি নিশ্চিত হয়। অন্যদিকে যেহেতু উপজেলা পরিষদের চেয়ারম্যান এবং ভাইস চেয়ারম্যানরা জনগণের প্রত্যক্ষ ভোটে নির্বাচিত সেহেতু তাদেরও অনেক দায়িত্ব রয়েছে। জনগণের প্রতিনিধি হিসেবে জনগণের কাছে দায়বদ্ধতার অঙ্গীকার এবং জনগণকে তাদের পেছনের মূল শক্তি বিবেচনায় রেখেই তাদের প্রজ্ঞা ও সংঘর্ষের পরিচয় দেয়ার তাগিদ দিয়েছেন বিশেষজ্ঞ মহল।

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Public Enterprise Reform (through Privatization) in Bangladesh and Some Suitable Strategies

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***Abstract:** Inefficiency, poor productivity and perennial losses of public enterprises have induced most of the countries of the world to reform their public enterprises. As a remedy to accommodate the colossal losses of public enterprises reducing the enormous liabilities imposed on the government's revenue, privatization programme emerged throughout the world between the 1950s and 1970s. In Bangladesh, internal political and economic factors as well as some external factors contributed to the emergence of privatization programme in mid seventies. Unfortunately the outcome of privatization programme in Bangladesh has not been pleasant everywhere. One of the reasons, according to some developmentalists behind such contention is that privatization has been driven by political logic more than rational economic imperatives in the sense that it was used to serve the political requirements of the successive regimes. On the basis of previous performance and the politics of public enterprises reform, the present government has taken conservative attitude towards wholesale privatization of state-owned enterprises. The main focus of this article is to identify the factors, which have influenced public enterprises reform in Bangladesh analyzing the rationality and impact of privatization programme and the strategy applied so far in this connection. An attempt is also made to suggest some alternative strategies to carry on the public enterprises reform successfully in the days to come.*

Introduction:

Public enterprises reform, as in most developing countries, is a much-debated subject in Bangladesh. Inefficiency and inexorable losses of public enterprises have induced most of the countries of the world to privatized their public enterprises. The poor performance, inefficiency and financial losses of public enterprises of Bangladesh places a fiscal burden, diverts limited resources from growth-enhancing public spending to unproductive subsidies, weaken the financial system and reduces country's industrial competitiveness. Keeping pace with other developing countries of the world, Bangladesh launched the privatization programme in mid seventies as a remedy to the inexorable losses of the public enterprises.

In spite of relentless and sincere efforts of the successive governments to lead the privatization programme, the programme has achieved very

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limited success. Around 1022 public enterprises (small, medium and large scale) have been privatized between 1976 - 2008.

Unfortunately the performances of a sizable portion of privatized enterprises in our country have not been pleasant. Some of the privatized enterprises have to face closure immediately after transfer to the private sector. The political analysts and economists focus much on the unscrupulous and hasty execution of privatization process, as the cause of such negative outcome.

Most importantly, it must be recognized without pretention that public enterprises reform through privatization is a political exercise and not only an economic one. To make desired progress, what is needed in Bangladesh is "political courage and initiative" in addition to "political willingness and commitment". This article explores the factors, which have influenced public enterprises reform in Bangladesh examining the rationality of privatization program and analyses the suitability of strategies adopted on this point.

2. Evolution of Public Enterprise Reform and the Policy of Privatisation in Bangladesh

Bangladesh inherited basically a private sector dominated economy at the time of independence in 1971. However, the devastation caused by the War of Liberation left the economy of industrial enterprises and commercial establishments damaged and abandoned by their formal non-local owners and managers.

Immediately after independence, the government tried to get the economy moving by restarting abandoned enterprises and by providing entrepreneurial support in a period of chaos and uncertainty. The circumstantial compulsion to take over the management and the spirit of socialism induced the government to nationalize all abandoned factories, commercial enterprises and financial institutions having assets of worth more than 1.5 million along with the entire jute, textile and sugar industries irrespective of their ownership. This drive enhanced the government ownership of fixed assets from 34% to 92% of the modern industrial sector. A total of 725 industrial, commercial and financial units were nationalized under the Presidential Order 16, 26 and 27 and put under management of 10 public sector corporations. This nationalization virtually restricted the private sector only to the small-scale industries. But within a few years, the adverse results of massive nationalization

became evident. Corruption, indiscipline, inefficiency engulfed the public enterprises which suffers gigantic losses.

After a political changeover in 1975, new government came and took reversal policy. In 1976, the government had taken economic liberalization policy by which public enterprises had been denationalized. At that time substantial deregulation has been taken which ushered a new arena for the private sector to participate in the economic spheres. The privatization process got momentum between 1976-81, when more than 200 industrial enterprises were divested (Akram, 1999). In 1977, when 10 of the 18 industrial sectors exclusively reserved for the state were opened for the private sector, the privatization of the country gained a new vigour. The new military government strongly influenced by World Bank and IMF turned increasingly to market liberalization and privatization.

The most significant move in the privatization process occurred in 1982 with the announcement of New Industrial Policy (NIP). In fact, NIP of 1982 is considered as the landmark in the history of privatization in Bangladesh, which was designed to expand the private manufacturing sector offering liberal incentive and concession to the private investors and committed to reducing the size of public sector through divestment of public enterprises in a phased manner irrespective of their profitability. As an outcome of NIP, 1982, 650 enterprises were disinvested or denationalized. Thus Bangladesh's economy was further liberalized under another new military regime of General Ershad (Akram, 1999).

In order to encourage foreign private investment, the foreign private investment (Promotion and Protection) Act, 1980 was promulgated and a "one-stop" service agency, i.e. Board of Investment (BOI), was set up, commencing its operations in January 1989. The government announced the Revised Industrial Policy (RIP) in 1986 with a view to further expanding, relaxing and strengthening the measures required providing further impetus to the privatization process through a deliberate decentralization program. In 1986, however, the 1982 policy was reformulated, restricting the state's scope for intervention and many public sector enterprises were put into a holding company as joint stock companies. These subsidiary companies tried to sell shares as part of what the government called 'the 51-49 Plan', in which government retained 51 % of total shares in order to maintain overall control.

The government's strong commitment towards rapid expansion of private sector through progressive deregulation, liberalization, trade policy reforms and encouraging foreign private investment was reiterated through the declaration of yet another Industrial Policy in 1991. Indeed, the privatization of the loss making public enterprises was one of the major objectives of the IP of 1991 in order to increase the efficiency and productivity of industrial sector. During 1991-1996, only 13 public enterprises have been privatized.

Awami League government remained committed to the previous privatization policies, in the belief that public enterprises in Bangladesh were inefficient and under-utilized. World Bank reports (1993, 1995, 1996a, 1996b, 1996c) were influential in shaping political opinion. The government promised donor agencies an intensification of privatization (The Bangladesh Observer, January 1, 1997) but from 1996-2001, only nine small public enterprises were fully privatized, again falling short of expectations. Although the re-election of BNP in 2001 did not change government policies towards privatization, these policies have created intense political debate: public sector problems and the merits or otherwise of private ownership are widely discussed throughout Bangladeshi society.

The government, advised and financed by the World Bank, paved the way for wholesale privatization by promoting an 'enabling environment' which included liberalizing foreign trade, relaxing exchange controls and restructuring import tariffs. As part of the preparations of privatization, ADB, a sister organization of WB, financed the Bangladeshi government's public sector redundancy programme, which was called 'Improvement of Labour Productivity in the Public Sector Enterprises'--or, in common parlance, the 'Golden Handshake Programme'. Under this programme, a huge number of workers were laid off from selected public sector enterprises to enable the enterprises to be sold privately with less worker resistance. More recently, in 2003, approximately 23,000 workers lost their jobs due to the closure of the Adamji Jute Mills, the largest in Bangladesh (Uddin, 2005).

In between December 2006 to December 2007, six public enterprises were transferred to the buyers. In 2007-2008, government designed comprehensive program to privatize 26 public enterprises and in the mean time tender has been floated for 10 enterprises and the remaining are now lying at different procedural stages.

The present government after coming into power has hinted at their conservative attitude towards wholesale privatization of public enterprises because of the disappointing performances in the privatized industry sector rather it has vowed to encourage the private sector set to set up new industries in future. The new Industrial Policy-2010 has been announced keeping the Vision 2021 of the present grand alliance government insight envisaging for 10% annual growth by 2017. The new Industrial Policy has evoked mixed reactions from economists and business leaders. Some hails the policy, which replaces the 2005 one after it got a go ahead from the Cabinet, while some grills the government for its stand on continuing with state owned enterprises (SOEs). In the new Industrial Policy 17 sectors has been identified as controlled industries and four sectors as preserved such as arms and other military equipments, atomic power, security printing and technology adoption for forest and protect forestlands whereas new investment will require special approval. To provide bank loans, some sectors are identified on priority basis. The economists, however view that the policy will give leeway to non-profitable state firms to reach profitability while discouraging privatization of "profitable" state enterprises (The Financial Express, September 6, 2010). Special importance is given on public-private-partnership (PPP) to encourage foreign investment and to accumulate capital for rapid economic growth (The New Nation, September 7, 2010).

3. Rationale and Basic Features for Public Enterprise Reform in Bangladesh

3.1 Rationale for Public Enterprise Reform in Bangladesh

The question of privatization arises because of the evident failure of public enterprises. Those in favor of privatization cite both the following reasons for privatizing public enterprises in Bangladesh.

- Economic Reasons

The economic reasons are that it brings about efficiency gains and it reduces the state's fiscal deficits by asset sales.

- Political Motives

The political motives are to reduce the role of the state in the economy, appease the international donor community which is calling for market oriented economic development, curb the excessive demands of public sector employees and get rid of the

nomenclature associated with operating and managing public enterprises.

3.2. Basic Features of Public Enterprise Reform in Bangladesh

- Highly politicized and bureaucratic i.e. more process and rule oriented rather than result oriented.
- Bureaucratic rule bound controls are maintained and stakeholders opinions are largely ignored because internal decisions are often politicized.
- The lack of financial accountability and transparency and immunity from the financial discipline of markets and the scrutiny of legal institutions in public sector enterprises are considered major blocks to performance.
- Public enterprise activity is around 6 percent of the Gross Domestic Product (GDP) and their fixed assets represent 25% of Gross Fixed Capital Formation.
- In 2003-2004, the annual losses of the public sector approach US\$ 250 million, which is equivalent to 30% of the country's annual project disbursement aid and nearly 1% of its Gross Domestic Product.
- 90% of the public enterprises have borrowed highly from the nationalized commercial banks. There are nearly 300 public enterprises.
- These firms are organized into 39 corporations that are umbrella entities; four nationalized banks; three insurance corporations; two agricultural bodies and three development financial institutions (Akram, 1999).
- According to the governor of the Bangladesh Bank, Tk. 5000 crore of default loans was lying with 156 business houses. 75% of the total bank loans of over Tk. 13,000 crore were held by 1800 persons, and just 10 defaulters were holding back nearly 300 crore taka. The number of willing defaulters was higher than the people in real trouble (BSS 2002).
- Taking full advantages of successive governments privatization and liberal economic policy, a total of Tk. 1100 crore-bank loan

has been pocketed by a group of 20 business houses between 1975 and 2001 (Monem, 2007). Between 1991 and 2001, a total interest of 5000 crore Tk. Had been written off in the same of encouraging privatization and public sector investment (Bangladesh Bank 2002).

4. Dominating Factors of Public Enterprise Reform through Privatization

4.1 Domestic Factors

4.1.1 Dissatisfaction of citizens regarding diminishing performance of Public Enterprises

The dissatisfaction among citizens about the diminishing performances of Public Enterprises especially public utilities has been increased gradually. The loss of public utilities in Bangladesh arises not because public utilities are forced by regulation to produce a level of output, which can not cover its long run average cost. The public utilities incur losses due to system loss, corruption, excess employment and inefficient management. Once upon a time DESA, WASA, T&T, PDB were the name of harassment to the citizen. The inclusion of private sector in utility sector creates competitions among utility service providers, which reduces the production cost and increases customer welfare. And by doing so, private enterprises have already earned citizen's appraisal because of their commitment, transparency and effective management system.

4.1.2 Inefficiency in Public Enterprises

In Bangladesh, private enterprises are more efficient than public enterprises in running industrial enterprises. It is evident from Table-1, which shows that the number of profitable units under private ownership is significantly higher than those of the public enterprise. This gives an indication that private enterprises are more efficient than public enterprises.

Table-1: Profitability of Private Enterprises compared to Public Enterprises, 1989-93

Sectors	Private Enterprises			Public Enterprises		
	Total Units	Profitable Units		Total Units	Profitable Units	
		Number	Percentage		Number	Percentage
Textiles	19	10	53	42	9	20
Engineering	16	22	75	20	9	43
Food & Allied	22	13	59	21	10	48
Pharmaceuticals	16	13	81	23	14	61
Miscellaneous	48	41	85	53	26	49
Total	121	89	74	159	68	43

Source: Privatization and Adjustment, Report no. 12318-BD, World Bank, 1994.

4.1.3 Continuous Bleeding of Economy

Public enterprises are sources of continuous bleeding of the economy of our country. A sizable portion of our GDP is being utilized each year to subsidize the loss incurring enterprises. The total losses of loss incurring enterprises have increased over the year. At the beginning of 1980's, these losses constituted only 0.25% of GDP, which has increased steadily over the years and reached nearly 2% of GDP at the beginning of 1990s. And if estimates include T&T, Railways and Postal department, the inclusion of these sectors may raise the estimate well above 3% of GDP.

Public enterprises receive direct state subsidies to keep them alive. According to Bangladesh Economic Review, from the financial year of 1990-91 to 1997-98 for keeping 11 public corporations such as BCIC, Bangladesh Sugar & Engineering Corporation, BIWTC, BJMC, Rajshahi Development Authority, Bangladesh Freedom Fighter Welfare Trust, Bangladesh Inland Water Transport Authority, BSCIC, REB, Bangladesh Handloom Board and Bangladesh Sericulture Board, the government has to pay 14,994.5 million taka. The nation can no longer afford such abuse of taxpayer's money. If the subsidized money were used in development work, the socio-economic scenario of the country would have been different.

4.1.4 Revival of Banking System from enormous Liquidity Crisis

Our banking system has reached on the verge of ruin repeatedly financing these losses making public enterprises, which remains largely unpaid.

Some 90% of public enterprises financing has been borrowed from the nationalized banking system. Total loan outstanding up to December 1997 to public enterprise stands at Taka 4298.70 crore with the default loan for Taka 1505.73 crore. This huge amount of outstanding and default loan of public enterprises created enormous liquidity crisis in our banking system. So in order to revive our banking system, which has been badly ravaged by the rampant borrowing of the public enterprises, there is no alternative to avoid the responsibility of the public enterprises, at least of loss incurring the public enterprises, from the shoulder of the government.

4.1.5 Technological Backwardness in Public Enterprises

Public Enterprises have been suffering from serious technological backwardness. In order to make a technological breakthrough in manufacturing sector in Bangladesh, leaving these enterprises to the private sector is a good potion. Perennial huge losses of public enterprises have discouraged the government or donor agencies to allocate funds for acquiring modern technology in these enterprises.

4.1.6 Reducing Budgetary Deficit

In order to subsidize loss-incurring public enterprises, government has to face huge budgetary deficit each year, which fuels inflation in the economy and becomes obstacle to growth. Adoption of the strategy of privatization can help the economy get rid of such budgetary pressure and attain macroeconomic stability consecutively.

4.1.7 Generation of new sources of Capital Investments

The revitalization or development of capital markets, increase in domestic investment, return of flight capital and inflows of external resources have been one of the important achievements of privatization. All these along with the availability of cash from the sales of public enterprises are expected to help mobilize to greater resources for investments and enhance the prospect for higher medium term economic growth.

4.1.8 Poor Management

Inefficiency and poor management are the common allegations against public enterprises. In public enterprises, decisions are mostly taken on political ground or personal ego rather than economic rationality, which

are frequently practiced in bureaucratic management. Such decision serves as the basis of poor performances of public enterprises. Privatization can ensure decision making from purely economic rationality rather than political consideration. In the private enterprises, the managers are supposed to have quick decision making ability under uncertainty and risk as well as commercial prudence as opposed to their counterparts working in the public enterprises. These distinctive privileges of private enterprises facilitate their earning more success and efficiency than which is possible in public enterprises. Moreover, in private enterprises initiative, creativity and sincerity of performances are financially rewarded which leads to economic efficiency. But absence of such provision in public enterprises leads to inefficiency in this sector. So for improvement of service delivery as well as management system, privatization is a viable option.

4.1.9 Political Parties

In Bangladesh, the policy of nationalization and the policy alternative of privatization provide the same kind of political advantages for the ruling politicians that are perceived to be endemic in public enterprises. In the name of public enterprises development, public enterprises are deliberately under-priced to reward groups, which extended support to the ruling politicians. Public enterprises reform through privatization in Bangladesh has created more avenues for the ruling politicians to distribute patronage among their friends and supporters. So the political parties' particularly ruling party's intention as well as interest in Bangladesh plays the most influential role in public enterprise reform.

4.1.10 Bureaucratic Role

A section of bureaucrats opposes public enterprises reform mainly because their interest is directly affected or they fear potential retrenchment to their long established position following privatization. For instance, government faced sporadic bureaucratic resistance in the form of non-cooperation while implementing its 49-51 plan of turning the public industrial enterprises into holding companies. This was an alternative strategy of privatization replacing mostly resisted outright sale strategy. The move was termed as an important step towards privatization in practice. It was an effective strategy to get over labor and bureaucratic opposition. However, the bureaucratic inaptness and obstructionism was there at the implementation phase. A group of corporation bureaucrats stated that they knew this 49-51 plan would create more chaos and

confusions because of the involvement of the too many parties. Politicians often manipulated the privatization process for political advantages and forged a 'coalition of convenience' with the supportive senior bureaucrats having collusive interests to tackle bureaucratic opposition to privatization.

4.1.11 Labour Elite

Wages of public enterprises are unrelated to productivity and there is little doubt that public enterprises are highly overstaffed. Such excessive employment in the public enterprises is based on a comparison of public enterprises' output-employment ratio prior and after nationalization. Public sector hiring is rarely based on competition, ability, education or merit rather workers are hired on the basis of rationalism, family relationships and personal ties. Public enterprises are beset with problem of virtual workers: payrolls of public enterprises list workers who do not exist. Someone else collects their wages. Therefore, from the viewpoint of efficiency gains, there is justification for cutbacks. To protect such undue advantages, labor elites opposes privatization attempts of public enterprises, which are considered as great challenges for public enterprises drives.

4.1.12 Trade Union

Labour resistance is an obvious and common phenomenon, which caused frequent slow-downs or retreats from declared privatization programmes under successive regimes. Trade unions of Bangladesh are quite militant. Public sector employees are highly organized and arguably the most politicized faction of the working class. Public sector wage increases, as a result of apex trade union bargaining with the state and the employers' organizations act as a trendsetter for the private sector. Generally trade unions are strong and they can turn violent for trivial reasons. Work stoppages, strikes, lockouts and sabotage of production, violence and terrorism characterize industrial relations in Bangladesh. The apparent militancy of trade unions is not necessarily in the interest of the working class rather than they preserve and protect the union elites and their political patron. Successive regimes used various political devises to ease the political discomfort arising out of trade unions' resistance to privatization. In order to make privatization of public enterprises easier, labor laws must be reformed.

4.2 External Factors

4.2.1 The Policy of WB, IMF and ADB

In the third world countries, the market oriented policies such as deregulation, privatization, and liberalization were imposed by the powerful international agencies like WB, IMF and ADB, usually as a part of larger structural adjustment packages favoring private business interests. In Bangladesh, privatization has been imposed by the external factors, particularly by WB and IMF, even though the conditions for privatization were not necessarily appropriate. Basically privatization occurs in the countries characteristics by 1) higher fiscal pressure on government, 2) higher dependency on loans from WB and IMF, 3) a large share of public enterprises in total investment and 4) lower long-term growth. Bangladesh is largely dependent on loans from WB and IMF, so it is obliged to implement development partners' agenda of privatization.

4.2.2 Global Economic Trend

As globalization of the world economy is taking place, to keep pace with other countries of the world, the economy should be made more market oriented. Privatization is right move to this end.

4.2.3 The rise of Neo-liberal critique of State Intervention

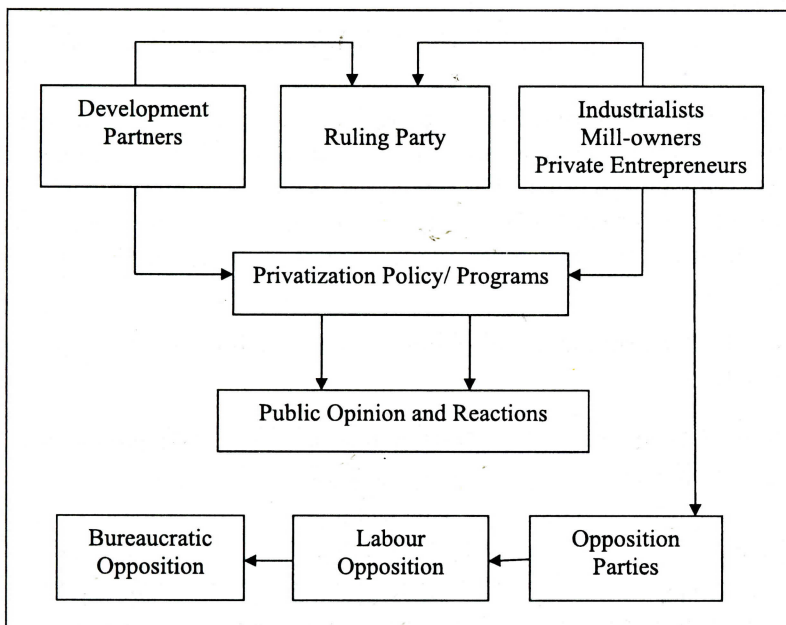
In advanced capitalist nations, the emergence of a state-centered economic approach which was introduced and nurtured by them during the 1950s and 1970s reflected the problem of market failure and the growing demands for citizen's right whereas in developing countries, this approach became the pivotal policy option to ensure national development, wealth distribution, employment generation and economic self-reliance. But the capitalist block by contrast started propagating liberalization, less government intervention and privatization that were considered to be panaceas by the proponents of neo-liberalism. They particular emphasis to privatization as a means to achieve improved performance of the erstwhile public enterprise in terms of profits, efficiency, employment generation and good governance. The crucial goal of privatization policy was, therefore, to liberate economic factors from politics and to improve the deficiencies of the public enterprises caused by politics and political maneuvering (Monem, 2006:23). In Bangladesh at the outset, the privatization drive was and still is intensely a political process.

5. Assessment and Effect of Public Enterprise Reform in Bangladesh

In many developing countries, privatization process is incomplete. Complete privatization is difficult to attain; however, while many developing countries have moved fast, Bangladesh has already been relatively slow in privatizing public enterprises.

Privatization is expected to stimulate national economy. But in Bangladesh, it is being used as a means to distribute patronage. The privatization program has been deliberately designed and executed to reward and promote the interest of key groups which developed into the main support base of three successive regimes. In fact, within any given country, privatization always evolves and operates within its distinctive political logic and environment. In Bangladesh, this environment is dominated by five important sets of actors: politicians, business interests, bureaucrats, organized workers and development partners.

Table: 2 Privatisation and its Dominating Factors



Source: Monem, Mobasser (2006): The Politics of Privatization in Bangladesh

In Bangladesh successive efforts of privatization has been taken by the politicians to turn the process of privatization to their own partisan advantages. The public enterprises are sold to well-connected persons

who funded their purchases with money borrowed from state-owned banks. In most of the cases, they declined to repay those loans and got away with these because they had close ties with politicians. In the name of privatization and private sector development, public enterprises are deliberately under-priced to reward groups, which extended support to the ruling politicians. Table -3 shows how textile mills are under-priced during the regime of democratic government in the name of privatization.

Table: 3 Under-valued Privatization of Textile Mills during 1991-96

Name of Textile Mills Privatised	Estimated Value (in Million Taka)	Sale Prize (In Million Taka)	Difference (In Percentages)
Kishoregong Textile Mill	326.9	95.3	-70.8
5 R Textile Mill	271.1	50.0	-81.6
Sinha Textile Mill	85.9	117.6	36.9
Madaripur Textile Mill	213.3	80.7	-62.1
Kohinoor Textile Mill	256.0	180.5	-29.5
Style Fabrics Textile Mill	19.4	12.5	-35.6

Source: Privatization Experience in Bangladesh, 1991-96, World Bank, Dhaka, 1997.

Due to imprudent and hasty privatization process, the privatized enterprises suffer huge losses and even a number of those have unexpectedly closed down. The mixed performance is observed in case of privatized enterprises, which was privatized during 1991-96. Table-4 shows the pre- privatization and post- privatization performances of that textile mills.

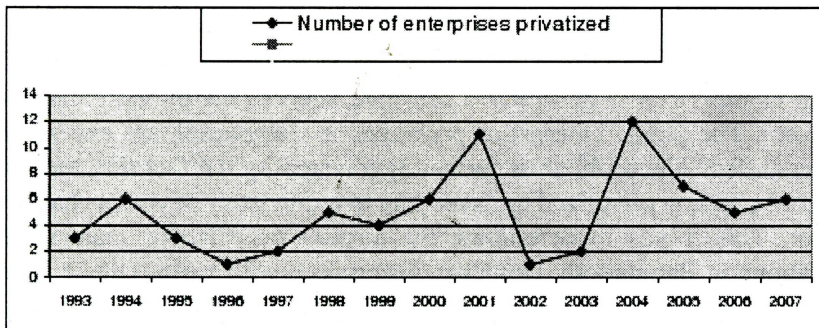
Table: 4 Performances of Some Textile Mills before and after Privatisation

Name of Enterprises	Pre- Privatisation	Post- Privatisation
Kohinoor Textile Mill	Losing just before Privatization	Now Profitable (Profit=Tk. 79 lac.)
5 R Textile Mill	Losing (Tk. 5.64 cr.)	Losing (Tk. 47 lac)
Sinha Textile Mill	Operational	Closed
Madaripur Textile Mill	Operational	Closed
Kishoregong Textile Mill	Losing (Tk. 64 lac)	Losing (Tk. 2.16 lac)
Style Fabrics Textile Mill	Losing (Tk. 13 lac)	Losing (Tk. 30 lac)

Source: C.A.E. Dowlah (1997)

Thus privatization in Bangladesh, like many other countries of the world, created more scope for the ruling politicians to distribute patronage among their friends and supporters. A World Bank study (1994) reveals that, around 305 public enterprises comprising industrial, commercial and financial institutions were put under public ownership by 1971-75. However, the size of the public enterprises has reduced considerably after the paradigm shift in the government's economic policy towards privatization. Since 1975 until 2008, 1022 small, medium and large scale industries of various categories have been privatized. Of those, 1002 have been sold to the private entrepreneurs and 20 through offloading shares.

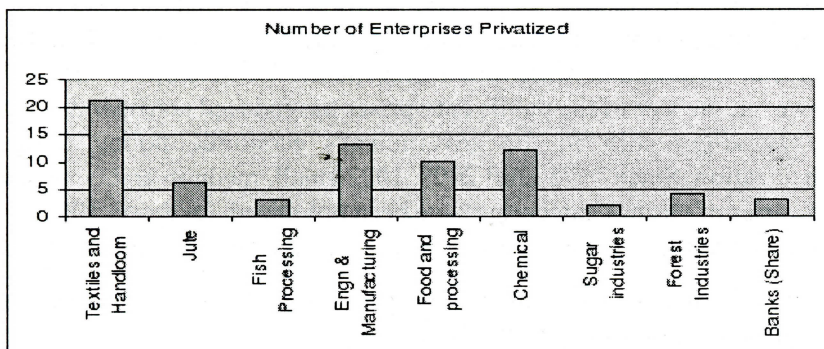
Table: 5 Year-wise status of Privatisation under Privatisation Board and Privatisation Commission (1993-2007)



Source: Brochure of Privatisation Commission, July 2007 Government of the People's Republic of Bangladesh.

Since the establishment of the Privatization Board in 1993 and thereafter the Privatization Commission in 2000, 74 public enterprises were privatized of which 54 were privatized through outright sale and 20 through offloading of shares. Privatization activities are gaining momentum. This reflects the increased participation of the private sector in privatization. While considering the sector-wise distribution of privatized enterprises, the privatized enterprises belong to textiles, jute, manufacturing, chemical, food leather and banking sector.

Table: 6 Sector-wise status of Privatisation under Privatisation Board and Privatisation Commission (1993-2007)



Source: Brochure of Privatization Commission, July 2007 Government of the People's Republic of Bangladesh.

The labour issue is generally a sensitive concern for public enterprises reform. The public enterprises privatized in Bangladesh are excessively overstaffed. The problem is further aggravated by the fact that the track record of many privatized units relating to redundancy payments has been poor. This trends to deteriorate the already poor labour management relations in Bangladesh. However, discussions with various stake holder groups, i.e. the trade union leaders, government officials, employers and researchers tend to suggest that the majority of the union leaders and workers are not in principle, opposed to privatization provided their interests are adequately safeguarded. Nevertheless, the gradual softening of the labour resistance does not suggest that they are less concerned about the outcome of the privatization process. Large-scale job losses resulting from lay-offs and retrenchment and closure of privatized units after divestiture and uncertainty about payment of adequate compensations etc. are the major concerns of the workers. All these remain very real concerns in Bangladesh and tend to be aggravated by a relationship of mistrust persisting among labour, government and private sector employers.

The success of privatization usually depends on the extent to which the mechanism for social dialogue effectively operates between workers and employers. Bangladesh needs to promote and strengthen social dialogue as well as to set up dispute settling machinery so that labour management issues can be settled through negotiation before the privatization process started.

6. Suitable Strategies for succeeding in Privatization in Bangladesh

The strategy of privatization tends to vary from country to country. To the economists in general a particular selection of a privatisation strategy depends on the condition of the economy and the strength of the private sector. In developing country, the strategy of privatization depends on the political imperatives of the ruling politicians. Ramandham identifies three types of privatisation strategies. The first concerns the ownership and includes total denationalization, joint venture and liquidation. The second relates to organizational changes to holding company structures and changes with the monolithic structures such as leasing competition and restructuring. The third and final group of measures is operational and comprises contracting out, incentive rewards, investment criteria, pricing principle, restoring to capital market and rationalization of government control (Monem, 2006:280).

In both developed and developing countries, the most commonly used strategy of privatisation are 1) sale of assets, 2) denationalization, 3) deregulation, 4) contracting out, 5) management contract, 6) lease, 7) Greenfield projects, 8) out sourcing.

According to the privatization Commission one or both of the following strategy are at present being followed for privatization in Bangladesh:

1. Direct Sale through International Tender: Local and foreign buyers may participate in much tenders. Association of workers, employees and officers of the tendered enterprises may offer bids for purchasing the enterprise. Direct sale of public enterprises has been the dominant method of privatization in Bangladesh. Successive governments preferred the strategy of direct sale of public enterprises to distribute patronage among the friends and supporters of the ruling party.
2. Sale by Public Offer of Shares: Under this method, governments owned shares in different companies and share of the public enterprises converted into public limited companies may be sold to the general public either directly or through the stock Exchange. A public enterprise running as public limited company may sell whole or part of the block holding to the public at a pre-determined price or may issue new public shares. The successful off-loading of the shares of a public enterprise involves many complex and sensitive procedures, particularly in Bangladesh, which need

careful attention. The 49-51 plan was envisaged in industrial policies of 1986 and 1991. But no attempt has been made to bring the plan into reality. Since the establishment of Privatisation Board and Privatisation Commission in 1993 and 2000 respectively the strategy of off-loading of shares has come into existence.

Table 7: Privatisation Strategy Ever-applied in Bangladesh (1975-2008)

No. of Public Enterprises Privatized (1975-2008)	By Outright Sale	By Off-loading Shares
1022	1002	20

Source: Brochure of Privatisation Commission, July, 2008 Government of the Peoples' Republic of Bangladesh

In Bangladesh, in case of privatization basically the political party in power applies the strategy of denationalization and divesture and through which public enterprises are handed over to the party supporters at a giveaway prize. On the other hand, the ruling politicians were reluctant in using the strategy of off-loading of share because raising operational efficiency through transforming public enterprises into public limited company might certainly attract more buyers and made the atmosphere more congenial for carrying out the privatization programme which might ultimately vitiated their intended purposes. Consequently, some privatized enterprises have failed to achieve expected outcome. So in case of stimulating the national economy, privatization is being used as a means to distribute patronage. To avoid such state patronized malpractice and to collect the fruit of privatisation, alternative strategy of public enterprise reform can be applied.

A recent World Bank report finds that the eastern and western regions of Bangladesh are facing unequal growth due to imbalance in infrastructure provision is instructive. So the development of infrastructure should be taken into consideration and equity and efficiency issues across socio-economic groups and should adopt appropriate pricing policies to encourage partnership. Infrastructure fund can invest in single or multiple sectors, Greenfield projects can operate existing infrastructure assets such as toll roads and bridges through long term concession agreements with public agencies. Traditionally, most investment in infrastructure has been publicly funded with about 70% of the total spending and the private sector has contributed roughly 20% to 25%, while official development assistances have financed only around 5% to

10% (The Daily Star, November 27, 2008). So the government should attract private financing in infrastructure through efficient financial markets which can provide funding at suitable terms and tenors, reliable and transparent investment and regulatory frameworks and project revenues that are predictable and ensure the payment of debt services and a reasonable rate of return on equity.

Donor agencies and government promoted privatization and provided subsidies to private entrepreneurs in the name of public-private-partnership (PPP). In order to fulfil the criterion of a partnership, there must be some ongoing set of interactions, an agreement on objectives and methods as well as a division of labour to achieve the goals.

For public enterprise reform through privatisation in Bangladesh, the successive governments have applied decentralization, divestiture or sale by public offer of shares. Besides these strategies, the government can take the following strategies into consideration as alternative strategy in the days to come.

1. Concession

Concession would be a strategy for private sectors inclusion in some of the public enterprises through which the operation, maintenance and investment can be delegated to private sector. For instance, a road concession is an arrangement under which, the owner of the road, delegates to a private entity (concessionaire) the responsibility for providing and maintaining a specified level of service to road users in exchange for the right to collect revenues from those users. Besides these issues inherent in a concession agreement, an operation and maintenance concession is similar in scope and approach to what is required and negotiated in atypical operation and maintenance agreement between private parties under a BOT (Build- Operate-Transfer) type arrangement.

2. Contracting Out

In this opinion, private sector is involved in the provision of certain goods and services but overall service management remains within the public sector. This type of contracts has been implemented in many countries like USA, Malaysia, Kenya, Indonesia, Chile etc with good records of success and it is often seen as a first step towards PPP. Contracting out create jobs in private sectors. The disadvantage is that government officials and ruling politicians often tend to give the contracts to their

business associations, friends and relatives. If such malpractice has been rightly handled, contracting out would be a viable option for public enterprise reforms in Bangladesh. Bangladesh Railway has already applied this strategy to a limited extent in Dhaka-Chittagong route and is enjoying significant success.

Case Study

Bangladesh Railway (BR) has introduced partnership for providing services to passengers and the outcome of this partnership is very positive. After service contract with a private sector organization, the quality of service of Dhaka-Chittagong route improves significantly. Subarno Express is an intercity service of Dhaka-Chittagong route, is the first experience of Bangladesh Railway, and is the better than other trains in Dhaka-Chittagong route. Under the contract, private sector partner provides all the services during travel time. As a result, customers are satisfied and there is no delay in travel time and the passengers enjoy travelling by this train than that's of others. For better service, passengers are to pay more, which is very insignificant.

Figure: 1
Comparison with Travel Time and Fare (Dhaka-Chittagong Route)

Criteria	Subarno Express	Godhuli Express
Fare (Chair Coach)	165/-	150/-
Travel Time	5.35 hrs. (7am-12.35am)	8 hrs. (2.40pm-10.40pm)

To reach Dhaka to Chittagong, Subarno Express needs only 5.35 hrs. While other intercity trains take more than 8 hrs. There is no halting way to Chittagong and vice-versa. This success story has inspired Bangladesh Railway to introduce another train named Subarno Express-2 in the same route. Not only that Bangladesh Railway starts operating this model in some other inter district routes.

3. Greenfield Projects

There are new projects usually built and operated by the private sector that takes on the commercial risk, political and exchange rate risk can sometimes be shared with the public sector. Such projects can take many forms, but the most common is build-operate-transfer (BOT). In this opinion, very usual in public works, the private sector develops finances and operates bulk facilities. Under a BOT, the responsibility of the concessionaire is not limited to the operation and maintenance of the infrastructure but it also includes a component of initial construction, upgrading or major road rehabilitation. Massive investment and consequent mobilization of private funding sources are therefore required from this company, which is to be repaid from the revenue collected from

service users. The BOT arrangement stresses the responsibility of the private entity during construction and operation of infrastructure and the transfer of the assets to the public entity at the end of operation period. The high initial investment required from the private sector and the consequent long concession period turn the distribution of risk between the parties into a key element of success in such schemes. Others forms of Greenfield projects include Build-Own-Operate- Transfer (BOOT), Design-Build-Operate (DBO), Design-Build-Finance-Operate (DBFO), and Build- Lease-Transfer (BLT).

Bangladesh can experience this Build-Operate-Transfer (BOT) strategy. To improve communication and to ease the nagging traffic congestion in the capital city, government can start construction of a subway. The underground railway system can be built on Build-Operate-Transfer (BOT) basis under the supervision of Bangladesh Railway.

4. Management Contract

Since the experience of transferring public sector enterprises directly to the buyers is dismal, practicing more management contracts system can carry out privatisation programme more rigorously. If the entrepreneurs, who have proven track of running the same or similar business, are given the management contracts, the public enterprises are likely to be turned into profit making state. Once these are in profit making state, privatisation programme can be launched more rigorously. Practising management contracts, one of the major impediments of the privatisation viz., opposition from organized labour can be handled more easily since such form of the privatisation does not alter the spirit of ownership. Moreover, the impact of management contracts system of public enterprises has been found very impressive especially in transport sector in Bangladesh.

5. Lease

In this form, a private company leases the assets of a utility, maintains and operate them, in return for the right of revenue. This leasing system can be a viable option for service improvement of public sector transport in Bangladesh. The advantages and disadvantages of the above-mentioned strategies of privatisation are shown in Table -8:

Table 8: Pros and Cons of different Private Investment Options

Options	Pros	Cons	Typical Duration
Management Contract	Gains in managerial efficiency	Gains can be difficult to enforce; public entity remains responsible for investment	3-5 years
Greenfield Projects (BOT, BOOT, DBO, DBFO, BLT, BOO)	Good way of getting efficient service delivery of bulk service, with private investment	Not a good solution if supporting distribution systems are in bad shape, or traffic levels are uncertain	15-30 years
Concession	Potential for high efficiency in operation and investment	Requires considerable commitment and regulatory capacity	25-30 years
Contracting Out	Can inject good technical expertise	Unlikely to greatly improve performance where overall management is weak	2-5 years
Lease	Commercial risk borne by the private sector, giving strong performance incentives	Administratively demanding; public entity remains responsible for investments	7-15 years

According to the report of Privatisation Commission, 76 Public Enterprises have been privatised so far since 1994 of which 56 are privatised through outright sale and 20 through offloading of shares. Surprisingly, most of the divested entities are being used for the purposes other than the promised one. Even in some cases, land is sold off after privatisation and being used in real estate purposes. Privatisation however, has opened up an avenue for interested corner an opportunity for mishandling and looting. In this context, Public-Private Partnership (PPP) may be a viable option for successful operation of loss making public enterprises. Table -9 shows some suitable strategies, which can be the alternative for outright sale and offloading of shares as ever-applied in Bangladesh in case of succeeding in Public Enterprise Reform.

Table 9: Suitable Strategies for Succeeding in Privatisation/Private Investment Options in Bangladesh

Strategy Options	Already in Operation	Probable Applicable Sectors
Management Contract	-----	*BRTA Licensing System *City Corporation/ Municipality Drainage and Sewerage System
Out Sourcing	*Bangladesh Bank (Class-IV employee) * Public/Private Enterprises (Driver,/Security Guard) *City Corporation (Cleaning and Beautification)	*In Public enterprises/ Government Offices in Class-IV employee (Peon, Cleaner and Driver, Security Guard)
Contracting Out	* Railway Ticketing System *Jamuna Multi-purpose/ Meghna Bridge Toll Collection System *Suborno Express (Dhaka-CTG Route) *Titas Commuter (Dhaka-B'baria Route)	*Private Railway Service *Ticketing System of BIWTC *Airport Terminal
Concession/Lease	*Sirajgong-Natore Road	*Dhaka-North Bengal Highway *Dhaka-Chittagong Highway
Greenfield Projects (BOT/ BOOT/ BOO)	*Subways in Capital City (Under Construction Process) *Metro Railway (In feasibility Test)	*Flyovers, Elevated Expressways, Monorail, Metro-Railway *Power plant *Exploration of Gas-field *Water Purification Plants *Container Depots *Deep Sea-ports

To meet the Millennium Development Goals (MDGs), the uses of innovative schemes like Public-Private-Partnership (PPP) is very essential for countries like Bangladesh. It is a matter of hope that the present government has brought the public-private-partnership (PPP) issue to the fore to augment and facilitate infrastructure investments. There are discussions about the government keeping a provision of take 50-70 billion under public-private-partnerships as infrastructure development fund in the ensuring budget. If handled with care and brought to action, this should catalyze total investment of \$4-5 billion in the infrastructure sector with very good upside on the GDP growth rate. However, there remain critical success factors such as identification and specification of the right as well as appropriate projects and partners in progress; participation or engagement of the private entities; appropriate legal backing; timely allocation of funds from both the entities and most importantly timely execution.

Like the infrastructure sector development, the present government has already declared a policy of allowing private sector power generation companies to set up, produce and sell power to the government. National gas and oil exploration business, shipping and vessel service, developing new ports and handling container service, airline operation in domestic route, tourism sector has been offered to private sector investment. Recent studies on sectoral reforms identified suitable privatization prospects in both roads and inland water transport system for contracting out the existing operations and maintenance functions to the private sector and these appear to be a mid-term possibility. All these public enterprise reform initiatives are taken not only to reduce the extra burden from the government but also to provide satisfactory service to the people.

7. Conclusion

The success and failure of public enterprise reform through privatization programme is largely dependent on any country's socio-economic condition and political commitment. In Bangladesh, economic and social policies are based on patron-client ties or vertical class relation. In order to benefit the small segments of the upper class and the middle class, the market mechanism is widely distorted by the state. In this context, to achieve a higher level of economic growth and fixed capital formation, develop its infrastructure and improve the quality of life of its people, the government must adopt and execute proper policies to privatize its loss mongered public enterprises challenging the existing status quo.

Proper design and implementation of privatization policy is needed to ensure that enterprises function efficiently after they are privatized. The change in the nature of corporate governance is more crucial to achieve better performance than the change of ownership of enterprises from the public sector to the private sector. In general, privatization programme should be implemented as integrated part of an authentic liberal economic order that incorporates fair law and their enforcement, fiscal and monetary discipline, competition and prudential macro-economic regulations and rewards productive endeavors. Before taking the final decision for privatizing any public enterprises, the Privatization Commission should take the alternatives strategies of privatization into consideration. Privatization of public enterprises in Bangladesh would have to be accompanied by a set of policies that ensure that entrepreneurs profit from productive endeavors, not at the expense of the public.

Privatization is not an end in itself but merely a means towards increasing efficiency and fostering economic growth and development.

The present government has taken conservative attitude towards wholesale privatization of the state-owned industries because of the disappointing performances in the privatized industry sector. But at the same time government vows to continue encourage the private sector industries. Public-Private Partnership (PPP) in this context is now a much talked about issue for both policy makers and the business concerned. So now it is the time to take the alternatives strategies of privatization into consideration for successful operation of loss making public enterprises as well as to turn the loss mongering public enterprises into profitable enterprises.

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Ensuring Good Governance in Bangladesh: An Overview

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Abstract: *The terms 'governance' and 'good governance' are increasingly being used in development literature. Intellectuals, bureaucrats and civil society members alike are accepting the spirit of the concept and are conceiving it in the context of their own experience and environment. The Bangladeshi government has recently been under constant pressure from various donor agencies for ensuring good governance. The implementation and achievement of good governance depends upon the transparency, honesty and efficiency of the legislature, executive and judiciary, along with the cooperation of civil society and the private sector. This paper mainly focuses on the concept of governance and good governance, secondly, it aims at identifying the elements or indicators and characteristics or features of good governance, thirdly, it describes the present state of governance along with examines the main constraints to good governance in Bangladesh and finally, it recommends to apply some important steps for ensuring good governance in Bangladesh.*

Introduction:

'Good Governance', a splendid notion, is being debated around the world, particularly in developing nations, to combat corruption and poverty, and gain economic development. But how could it be achieved? In this context, scholars, academics, economists, politicians, civil society members and international organizations like World Bank, UNDP, European Union etc. are presenting their valued opinions, thoughts and theories at brainstorming seminars or roundtables to ensure good governance for gaining faster economic growth and improving the lifestyle of the poor people of the developing countries like Bangladesh.

It is clear that, 38 years have already elapsed since the country's independence but good governance in Bangladesh could not be established perhaps because of widespread corruption, abuse of power, inefficiency of bureaucracy, deteriorating law and order and political interference in the administration. So, we can obviously say that , Bangladesh could not yet reap the fruits of independence due to poor governance and lack of political commitment. In fact, no government in the past took serious and effective measures to curb corruption and promote good governance in the administration and social life. Abuse of

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power, nepotism, politicization of administration and corruption were the order of the day by politicians, policy makers and high officials. They were not made accountable for their wrong doings and corrupt practices. As a result, people's frustration has increased. Therefore, in such a situation, to ensure good governance the present government has to take remarkable initiatives which among all state institutions must be strengthened.

This article is based mainly on secondary data collected from different sources including books, magazines, journals, reports, periodicals, published and unpublished documents and daily newspapers etc. Moreover, it covers the reading materials available in the internet and websites.

This paper mainly focuses on the concept of governance and good governance, secondly, it aims at identifying the elements or indicators and characteristics or features of good governance, thirdly, it describes the present state of governance along with examines the main constraints to good governance in Bangladesh and finally, it recommends to apply some important steps for ensuring good governance in Bangladesh.

Defining 'Governance' and 'Good Governance': A debate

Notwithstanding popular usage of terms 'governance' and 'good governance,' these are not amenable to precise definitions. The development aid community is yet to adequately define the contours of 'governance' and 'good governance.' 'Governance' may imply different things to different people who have very little in common in terms of their worldview, ideology and class status. From NGOs and community organizations to powerful states and multilateral institutions- all swear by governance. The grounds for supporting 'governance' are as diverse as their avowed proponents. As a result, one finds that a variety of definitions, often at cross-purposes, are being used to describe 'governance,' thereby further confounding the concept (Singh, 2003).

American Heritage Dictionary (2000) defines governance as "the act, process, or power of governing." Simply, 'governance' means the process of decision-making and the process through which decisions are implemented. The concept of 'good governance' conveys the qualitative dimension of governance. Attempts to define what constitutes good or bad governance have failed in the past because concepts and processes of 'governance' vary from country to country. For instance, what is

considered corrupt practice in one country (for example, insider trading, tax evasion, money laundering, etc.) may be considered as normal business practice in another. Due to lack of precise definition, the debate over the use of term 'governance' instead of government remains inconclusive.' (Singh, 2003)

In terms of distinguishing the term governance from government "governance" is what a "government" does. It might be a geo-political government (nation-state), a corporate government (business entity), a socio-political government (tribe, family, etc.), or any number of different kinds of government. But governance is the kinetic exercise of management power and policy, while government is the instrument (usually, collective) that does it. The term government is also used more abstractly as a synonym for governance, as in the Canadian motto, "Peace, Order and Good Government". (<http://www.answers.com/governance> accessed on 5-8-2009).

Conceptual Definition:

Governance: Governance is a multifaceted concept with wide ramifications. This is so because of the fast-changing and interdependent global environment. No country can afford to continue with a governance system that is outdated, slow, ineffective, expensive and corrupt in this age of globalization (Khan, 2003).

Governance though is increasingly widely used it is not a new term. It was first used in the fourteenth century. At that time it was used in two senses. In first case it meant action, method of governing; and in the second sense it included action and manner of governing (Khan, 2006:19).

But the term is still deprived of a universally accepted definition. This may be one reason as to why the term has been labeled as confusing (Pierre and Peters, 2000:14); not clear (Smouts, 1998:81); and not precise (Senarciens, 1998:92). In spite of lack of unanimity about definition has not hindered the overflowing of definitions about the term.

¹ Some analysts have offered plausible economic and political reasons for the use of term 'governance' instead of government. According to Sophal Ear, a former World Bank official, "the phenomenal rise of governance as opposed to government, in a normative context, may also have a great deal to do with its more palatable sound-to say "bad government" to a Prime Minister is akin to telling him he is a "bad" person. While to say that his government suffers from bad governance sounds more diplomatic-and international financial institutions (IFIs) like the World Bank and the IMF are, if nothing else, diplomatic organizations."

Governance is ultimately concerned with creating the conditions for ordered rule and collective action (Stoker, 1998). Governance has a dual meaning; on the one hand, it refers to the empirical manifestations of state adaptation to its external environment as it emerges in the late twentieth century (Pierre, 2000); on the other hand, governance also denotes a conceptual or theoretical representation of coordination of social systems and, for the most part, the role of the state in that process (Pierre, 2000).

According to Webster's Dictionary, 'governance' means 'the act or process of governing, specifically authoritative direction and control' (Cited from Aminuzzaman, 2006). This interpretation specifically focuses on the effectiveness of the executive branch of government.

In general terms, it can also denote "how people are ruled, how the affairs of the state are administered and regulated as well as a nation's system of politics and how this functions in relation to public administration and law" (Landell-Mills and Serageldin, 1991:304).

In general terms, governance occurs in three broad ways:

1. Through networks involving public-private partnerships (PPP) or with the collaboration of community organisations
2. Through the use of market mechanisms whereby market principles of competition serve to allocate resources while operating under government regulation
3. Through top-down methods that primarily involve governments and the state bureaucracy. These modes of governance often appear in terms of hierarchy, markets, and networks. (<http://www.answers.com/governance> accessed on 5-8-2009)

Governance is a broader notion than government, state, and regime, and is the interaction between formal institutions and civil society. It is seen as a process whereby elements in society wield power, authority, and influence and enact policies and decisions concerning public life, and economic and social development (<http://www.gdrc.org/u-gov/work-def.html>, accessed on 04-08-2009). In this context governance is defined as "a system" of government concentrating on effective and accountable institutions, democratic principles and electoral process, representation and responsible structures of government, in order to ensure an open and legitimate relationship between the civil society and the State (Halfani et al. 1994:4).

In the broadest sense, governance concerns performance of the government including public and private sectors, global and local arrangements, formal structures, informal norms and practices, and spontaneous and intentional system of control (Roy, 2006:5). McCarney et al define governance as a system of government concentrating on effective and accountable institutions, democratic principles and electoral processes, representative and responsible structures to ensure an open and legitimate relationship between the civil society and the state (McCarney et. al. Cited in Khan, 1997).

In the 1990s the study of governance was a major growth industry in the social sciences. M. Whitehead sees governance 'as a process whereby formal governing structures are no longer focused primarily on the political realms of public sector government...but are increasingly incorporating a range of interests drawn also from the private sector and civil society'. (<http://www.answers.com/governance> accessed on 5-8-2009)

The Governance Working Group of the International Institute of Administrative Sciences (1996) describes governance has no automatic normative connotation. However, typical criteria for assessing governance in a particular context might include the degree of legitimacy, representativeness, popular accountability and efficiency with which public affairs are conducted.

Governance is basically a process by which stakeholders' interest are articulated, their input is absorbed, decisions are taken and implemented, and decision makers are held accountable (Bakker, 2003 cited in Aminuzzaman and Sharmin, 2006). According to McCarney et al., (1995) governance is "the relationship between civil society and the state, between rulers and the ruled, and the government and the governed"

Governance, thus, not only include the political and administrative institutions of government and interrelationships but also the relationships between government and society including the disadvantaged (McCarney, 1996). Empirical evidences further suggest that governance for basic services to poor and disadvantaged should follow an approach which is open and transparent, inclusive and communicative; coherent and integrative; and equitable and ethical (Resnick & Birner, 2006).

Hodges *et. al.* in Corporate governance in the public services: issues and concepts an article published in Public Money and Management 16 (2) 7-13 define governance as:" the procedures associated with the decision making, performance and control of organizations, with providing structures to give overall direction to the organization and to satisfy expectations of accountability to those outside it." (<http://makingendsmeet.idea.gov.uk/idk/core/page.do?pageId=5148966>(accessed on 04-08-2009). How an organization controls its actions. Governance describes the mechanisms an organization uses to ensure that its constituents follow its established processes and policies. It is the primary means of maintaining oversight and accountability in a loosely coupled organizational structure. A proper governance strategy implements systems to monitor and record what is going on, takes steps to ensure compliance with agreed policies, and provides for corrective action in cases where the rules have been ignored or misconstrued. <http://www.looselycoupled.com/glossary/governance>(accessed on 04-08-2009)

Broad definitions of governance are often rather vague (Box 1). There is a very considerable literature that discusses how, precisely, the concept of governance might be defined ; for the purposes of this paper this literature may be summarised as emphasising the following:

- The processes by which governments are chosen, monitored, and changed.
- The systems of interaction between the administration, the legislature, and the judiciary.
- The ability of government to create and to implement public policy.
- The mechanisms by which citizens and groups define their interests and interact with institutions of authority and with each other.

Considering these issues in the context of governance, two comments may be made. First, a good deal of governance is about the exercise of various forms of power. There are different types of power--ideological, political, legal, military, economic, administrative, and so on--and governments everywhere frequently use various combinations of power to govern. It is important that economists, when considering issues of governance, bear in mind that many senior government leaders see economic policy tools as part of the broader spectrum of levers of power which they can draw upon at any time to achieve their goals. Just as one famous brief definition of economics is that economics is about "who

produces what, and for whom", so a brief definition of governance might be "who controls what, and for whom".

Some Definitions of Governance:

"GOVERNANCE is the exercise of political, economic and administrative authority to manage a nation's affairs. It is the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights and obligations, and mediate their differences." (UNDP)

"GOVERNANCE is the manner in which power is exercised in the management of a country's social and economic resources for development. Governance means the way those with power use that power." (ADB)

GOVERNANCE is "... the traditions and institutions by which authority in a country is exercised for the common good. This includes (i) the process by which those in authority are selected, monitored and replaced, (ii) the capacity of the government to effectively manage its resources and implement sound policies, and (iii) the respect of citizens and the state for the institutions that govern economic and social interactions among them." (World Bank)

"The term governance, as generally used, encompasses all aspects of the way a country is governed, including its economic policies and regulatory framework. Corruption is a narrower concept, which is often defined as the abuse of public authority or trust for private benefit. The two concepts are closely linked: an environment characterized by poor governance offers greater incentives and more scope for corruption. Many of the causes of corruption are economic in nature, and so are its consequences - poor governance clearly is detrimental to economic activity and welfare." - IMF, 2002.

"Governance encompasses the values, rules, institutions, and processes through which people and organizations attempt to work towards common objectives, make decisions, generate authority and legitimacy, and exercise power." (Canadian International Development Agency, <http://www.acdi-cida.gc.ca/CIDAWEB>)

Second, for the purposes of discussing governance, it is useful to distinguish between issues of governance at the macro and micro level.

- Matters which might be classified at the macro level include such things as constitutional reform; the overall role of government itself (size and resources); the relationship between the key national institutions of the administration, the legislature, the judiciary, and the military; and the manner in which the political market operates.

- Micro issues of governance can be taken to include issues in many sectors of the nation including at the regional and unit level: government departments, state owned enterprises (SOEs), commercial firms, education and health institutions, cooperatives, organizations active in civil society affairs (such as the media, think tanks, and non-government organizations), and informal institutions of governance which operate in the large informal sector across Indonesia (Mc Cawley, 2005) .

Governance broadly deals with the political process that attempts to raise the living standard of the people to create an environment for them to enjoy the benefits of freedom equally. The political philosophy and objectives of different governments, the economic policies, the internal and external security of the nation and the relationships with other nations are important aspects that shape the type of governance (Gunapala, 2000). However, there are at least seven separate uses of governance relevant to the study of Public Administration: corporate governance; the new public management; good governance; international interdependence; socio-cybernetic systems; the new political economy and networks (Rhodes, 2000)

A UK based professional body for people in public finance, The Chartered Institute for Public Finance and Accountability (CIPFA) in its publication "Accountability: a framework for public services" includes the following elements which form the basis of a governance framework:

- Openness: access to information, communication with stakeholders and appointments to posts
- Financial and performance management - annual reports and corporate planning
- External review: audit arrangements and regulation
- Due process: compliance with the law, standards of behaviour and conflicts of interest
- Redress: complaints mechanisms and independent review

(<http://makingendsmeet.idea.gov.uk/idk/core/page.do?pageId=5148966>, accessed on 04-08-2009)

The Commission on Global Governance (1995) defines governance as: "the sum of the many ways individuals and institutions, public and private, manage their common affairs". It is a continuing process through

which conflicting or diverse interests may be accommodated and co-operative action may be taken. It includes formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interest (Oxford University Press, 1995 cited in Lyon, 2000).

The World Bank's Experience, as it has special relevance for the developing world: World Bank, (1989) denotes the governance as " ... exercise of political power to manage a nation's affairs". Governance is also examined as "the manner in which power is exercised in the management of a country's economic and social resources for development," (World Bank, 1992). In the World Bank's definition, 'governance' encompasses the form of political regime; the process by which authority is exercised in the management of a country's economic and social resources for development; the capacity of governments to design, formulate and implement policies and discharge functions.

The World Bank's focus on governance reflects the worldwide thrust toward political and economic liberalization. Such a governance approach highlights issues of greater state responsiveness and accountability, and the impact of these factors on political stability and economic development. In its 1989 report, *From Crisis to Sustainable Growth*, the World Bank expressed this notion as follows:

"Efforts to create an enabling environment and to build capacities will be wasted if the political context is not favorable. Ultimately, better governance requires political renewal. This means a concerted attack on corruption from the highest to lowest level. This can be done by setting a good example, by strengthening accountability, by encouraging public debate, and by nurturing a free press. It also means ... fostering grassroots and non-governmental organizations such as farmers' associations, co-operatives, and women's groups".

To conclude, it is clear that the concept of governance has over the years gained momentum and a wider meaning. Apart from being an instrument of public affairs management, or a gauge of political development, governance has become a useful mechanism to enhance the legitimacy of the public realm. It has also become an analytical framework or approach to comparative politics, administration and international relation ("Governance Barometer: Policy guidelines for good governance" Website of South Africa's National Party <http://www.gdrc.org/u-gov/governance-understand.html>, accessed on 04-08-2009).

Now, I shall focus on two variant of governance - good and bad - to understand their symptoms.

Good and Bad Governance:

In order to know what constitutes good governance, it is useful to explore why bad or poor governance exists (Bhuiyan, 2008). Moore (2001) argues that 'bad governance' is neither inherent in the culture or traditions of the people of poor countries nor a product of poverty. It is rather the result of the ways in which state authority in the South has been constructed - and is being maintained - through economic and political interactions with the rest of the world. He further points out that the policies and practices of Northern governments and the pattern of international economic transactions help sustain poor governance in the south (Moore, 2001). A 1992 World Bank report identified the following key symptoms of bad governance (cited in Khan, 2002:66):

1. Failure to make a clear separation between what is public and what is private, hence a tendency to direct public resources for private gain.
2. Failure to establish a predictable framework of law and government behavior conducive to development or arbitrariness in the application of rules and laws.
3. Excessive rules, regulations, licensing requirements, and so forth which impede the functioning of markets and encourage rent-seeking.
4. Priorities, inconsistent with development, resulting in a misallocation of resources.
5. Excessively narrowly based or non-transparent decision making.

Why should 'bad governance' be relatively concentrated in poor countries? Insofar as an answer to the questions is implicit in their behavior, it would appear to be some notion of institutional deficit: poor countries lack the appropriate governance institutions that are found in the rich countries, in the shape of auditor-generals, police academies, freedom of information laws, judicial autonomy, public policy research institutes, and many other things (Moore, 2001 Cited in Bhuiyan, 2008). I shall now turn to discuss good governance.

Good Governance :

The World Bank first used the concept of good governance in its 1989 report, Sub-Saharan Africa: From Crisis to Sustainable Growth, in which it characterized the crisis confronting the region as a "crisis of governance" and linked ineffectiveness of aid with governance issues (Singh, 2003). Since then, Good governance is now-a-days a widely used term in developed as well as developing countries. Bangladesh is no exception to this global trend. Politicians both in power and in opposition talk of their quest to achieve good governance. In true sense, government reform is a world wide trend and 'good governance' is the latest flavour of the month for international agencies such as the World Bank, shaping its lending policy towards third world countries. For instance, Good governance defines an ideal which is difficult to achieve in full. However, to ensure sustainable human development, actions must be taken to work towards this ideal. Major donors and international financial institutions, like the IMF or World Bank, are increasingly basing their aid and loans on the condition that reforms ensuring good governance are undertaken.

Good governance is a term used in development literature, which implies that public institutions conduct public affairs, manage public resources, and guarantee the realization of human rights. Good governance accomplishes this in a manner essentially free of abuse and corruption, and with due regard for the rule of law (UNESCAP, 2009).

Leftwich identifies three strands to good governance : systemic, political, and administrative. The systemic use of governance is broader than government covering the 'distribution of both internal and external political and economic power'. The political use of governance refers to 'a state enjoying both legitimacy and authority, derived from a democratic mandate'. Good governance, thus is more than mere sound and efficient public administration. It is the process of building enduring and consistently used bridges between the state and the society at large through an effective and people-oriented mechanism of administration (Rhodes, 2000).

A good governance is characterized by an accountable government at the top, an independent judicial system, freedom of thought and expression, and above all, freedom of choice for its citizens. Good governance also implies a democratic structure, human rights and freedom of media. Governance can be viewed as the sum of three major components: process, content and deliverables. The process of governance includes

factors such as transparency and accountability. Content includes values such as justice and equity. Governance cannot be all process and values. It must ensure that the citizens, especially the poorest, have the basic needs and have a life with dignity. A dictatorship that delivers basic needs to the citizens is no doubt better than a dictatorship that does not, but it is not good governance. Similarly, regular elections alone do not translate into 'good governance'. Rule of law that is transparent, but unjust- such as apartheid- is certainly not 'good governance'. It is only when all these three conditions are fulfilled that governance becomes 'good governance'. Within this broad conceptualization of good governance there are two distinct positions. The first, articulated by the World Bank conceptualizes good governance as management of a country's resources and affairs in a manner that is open, transparent, accountable, equitable and responsive to people's needs. Others argue that governance is 'good' when it serves not just any public interest but that of the most poor and marginalized people in society. Over the years, good governance has emerged beyond being a value concept. Increasingly it is understood as a process that when implemented in its totality leads to sustainable development and change (Aminuzzaman, 2006). However, the following table will provide the different dimension on good governance:

Table-1: Definition of good governance by different authors and agents

Author/Org.	Definition
Minogue, 1998	"Good governance is both a broad reform strategy and a particular set of initiatives to strengthen the institutions of civil society with the objective of making government more accountable, more open, transparent, and more democratic".
O'Neill, 2002	"Good governance means ruling justly, enforcing laws and contracts fairly, respecting human rights and property rights, and fighting corruption. Encouraging economic freedom means removing barriers to trade with neighbors and the world, opening the economy to foreign and domestic investment and competition, pursuing sound fiscal and monetary policies, and divesting government from business operations. Economic freedom also means recognizing that it is the private sector that creates prosperity, not central planning or bureaucracies."
Chopra, 1997	"Good Governance is a system of governance that is able to unambiguously identify the basic values of the society where values are economic, political and socio-culture issues including human rights, and pursue these values through an accountable and honest administration".
John Healey and Mark Robinson ²	"Good government" as follows: "It implies a high level of organizational effectiveness in relation to policy-formulation and the policies actually pursued, especially in the conduct of economic policy and its contribution to growth, stability and popular welfare. Good government also implies accountability, transparency, participation, openness and the rule of law. It does not necessarily presuppose a value judgment, for example, a healthy respect for civil and political liberties, although good government tends to be a prerequisite for political legitimacy".

² Governance Barometer: Policy guidelines for good governance" Website of South Africa's National Party <http://www.gdrc.org/u-gov/governance-understand.html> (accessed on 04-08-2009)

G8, Final Communiqué, 2001.	"Open, democratic and accountable systems of governance, based on respect for human rights and the rule of law, are preconditions for sustainable development and robust growth" (Singh, 2003).
European Union	"Good governance is the transparent and accountable management of human, natural, economic and financial resources for equitable and sustainable development. It entails clear decision-making procedures at the level of public authorities, transparent and accountable institutions, the primacy of law in managing and distributing resources, and capacity building for elaborating and implementing measures that aim to prevent and combat corruption" (cited in Aminuzzaman, 2006).
Office of High Commissioner of Human Rights (OHCHR)	Governance is the process whereby public institutions conduct public affairs, manage public resources and guarantee the realization the human rights. Good governance accomplishes this in a manner essentially free of abuse and corruption, and with due regard for the rule of law. The test of 'good' governance is the degree to which it delivers on the promise of human rights: civil, cultural, economic, political and social rights. The key question is: are the institutions of governance effectively guaranteeing the right to health, adequate housing, sufficient food, quality education, fare justice and personal security? (cited in Aminuzzaman, 2006)
World Bank, 1997	"Good governance is epitomized by predictable, open, and enlightened policy making, a bureaucracy imbued with a professional ethos acting in furtherance of public good, the rule of law, transparent process, and a strong civil society participating in public affairs. Good governance fosters strong state capable of sustained economic and social development and institutional growth".
UNDP, 2002	"... the exercise of economic, political and administrative authority to manage a nation's affairs at all levels and the means by which states promote social cohesion, integration, and ensure the well-being of their population".

One golden thread runs through all the definitions is the accountability and transparency in government actions and emphasizes the necessity and relevance of public morality in the conduct of the government for the welfare of the public (Rashid, 2008).

Governance encompasses every institutions and organization in the society, from the family to the state and embraces all methods - good and bad - that societies use to distribute power and manage public resources and problems. Good governance is therefore a subset of governance, wherein public resources and problems are managed effectively, efficiently and in response to critical needs of society. Effective democratic forms of governance rely on public participation, accountability and transparency.

Good governance is, among other things, participatory, transparent and accountable. It is also effective and equitable, and promotes the rule of law fairly. Good governance ensures that the voices of the poorest and the most vulnerable are heard in decision-making over the allocation of development resources, and that political, social and economic priorities are based on broad consensus among the three stakeholders the state, private sector and civil society. All three stakeholders are critical for sustaining human development: the state creates a conducive political and legal environment; the private sector generates jobs and income; and civil society facilitates political and social interaction. With the advent of

globalization and the integration of economies, the state's task is also to find a balance between taking advantage of emerging market opportunities and providing a secure and stable social and economic environment domestically.

(http://www1.aucegypt.edu/src/engendering/good_governance.html (accessed on 04-08-2009)).

Elements or Characteristics of Good governance:

After mentioning some definitions of good governance, it is necessary to discuss its elements or factors or parameters for better understanding the concept of good governance. The following are the parameters which are identified for promoting good governance expressed by Overseas Development Administration (ODA), 1993; UNDP, 1995; and World Bank, 1999:

1. participation; 2. legitimacy; 3. accountability; 4. openness and transparency; and 5. competence (Kumar, 2000).

Asian Development Bank (cited in Roy, 2006) identifies four basic elements of good governance (which McCawley calls democratic governance) such as accountability, participation, predictability and transparency. According to OECD (1992, cited in Khan, 2002), the salient features of good governance are:

1. Promotion of democracy and open pluralistic societies.
2. Strengthening of transparent, accountable, efficient and effective national government.
3. Reinforcement of the rule of law, including fair and accessible legal and judicial system.
4. Promotion of an independent media and dissemination of information.
5. Anti-corruption initiatives and efforts to reduce excessive military expenditure.

A new set of the World Bank public sector governance indicators covering 212 countries from the period 1996-2008 has been recognized as an effective measurement tool across the world. These governance indicators focus on the following six dimensions (Kaufmann et al., 2009):

- a) Voice and Accountability: measuring perceptions of the extent to which a country's citizens are able to participate in selecting their

government, as well as freedom of expression, freedom of association, and a free media.

- b) Political Stability and Absence of Violence: measuring perceptions of the likelihood that the government would be destabilized or overthrown by unconstitutional or violent means, including politically motivated violence and terrorism.
- c) Government Effectiveness: measuring perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies.
- d) Regulatory Quality: measuring perceptions of the ability of the government to formulate and implement sound policies and regulations that permit and promote private sector development.
- e) Rule of Law: measuring perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence.
- f) Control of Corruption: measuring perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as "capture" of the state by elites and private interests.

UNDP identifies nine core characteristics covering eight key urban issues which measure good governance (Mehta, 2000).

Core characteristics of good governance:

- 1) Participation: All men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their interests. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively;
- 2) Rule of law: Legal frameworks should be fair and enforced impartially, particularly the laws on human rights;
- 3) Transparency: Transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them, and enough information is provided to understand and monitor them;

- 4) Responsiveness: Institutions and processes try to serve all stakeholders;
- 5) Consensus orientation: Good governance mediates differing interests to reach a broad consensus on what is in the best interest of the group and, where possible, on policies and procedures;
- 6) Equity: All men and women have opportunities to improve or maintain their well-being;
- 7) Effectiveness and efficiency: Processes and institutions produce results that meet needs while making the best use of resources;
- 8) Accountability: Decision- makers in government, the private sector and civil society organisations are accountable to the public, as well as to institutional stakeholders. This accountability differs depending on the organization and whether the decision is internal or external to an organization;
- 9) Strategic vision: Leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development;

There is also an understanding of the historical, cultural and social complexities in which that perspective is grounded http://www1.aucegypt.edu/src/engendering/good_governance.html (accessed on 04-08-2009)

According to the UN, good governance has eight characteristics. Those are:

- Consensus Oriented
- Participatory
- following Rule of Law
- Effective and Efficient
- Accountable
- Transparent
- Responsive
- Equitable and Inclusive (UNESCAP, 2009).

Further, the United Nations Center for Human Settlements (UNCHS) identified five elements of good governance as follows:

1. Accountability: Good governance requires accountability by public officials; both elected political leaders and civil servants. Their public functions must serve the community at large.
2. Transparency: Good governance requires transparency in public procedures, process, investment decision, contracts and appointment. It is not sufficient that information simply be available, it must also be reliable and presented in useful and understandable ways to facilitate accountability.
3. Participation: Good governance requires wide participation in making public choices, such as policies and regulations (and even in the operation of markets).
4. Rule of Law: Good governance is built on the rule of law.
5. Predictability: Public and private institutions, such as government agencies and markets, must have some measure of predictability. The rule of law helps to protect against erratic uneven enforcement and the whims of public officials. But the process of making and changing public rules and expectations must also be predictable (Mehta, 2000).

As evident from the above-mentioned characterization, the international agencies like world Bank, UNDP tend to equate 'governance' within the ambit of government with an emphasis on corruption, transparency, participation and rule of law. Hence, their governance-related programs are concerned with public sector management, public administration, downsizing of bureaucracy and the privatization of state-owned companies. Without belittling the importance of these measures, the fact remains that such a narrow approach cannot help in understanding the myriad issues related to the concept of 'good governance.' The Bank as well as international donor community is oblivious to the relationship between 'good governance' and attainment of basic economic, social and political rights. With an emphasis on technicalities, the important issues related to politics and power relations both within and among nations are not given due attention. In fact, it is due to the World Bank's financial clout and intellectual hegemony, its definition of 'good governance' has gained wider currency within the dominant academic, diplomatic and development cooperation circles (Singh, 2003).

It should be mentioned here more that from the above characterization of good governance it is apparent that good governance is interrelated with

participatory development, human rights, democratization and economic development. A government can only be legitimate if it is based on the consent of the governed and if such is given through a recognized participatory process. Accountability of political and bureaucratic actors—a key requirement of democracy and human rights—can only be ensured through the free flow of information, scrapping of all black laws, freedom of print and electronic media, transparency in decision making and the institution of accountability mechanisms (Khan, 2003).

State of governance in Bangladesh: The following section highlights some aspects of governance in Bangladesh:

Bangladesh shows all the symptoms of an underdeveloped polity. Politics is still dominated by big money, goons and people with little background and training in formal politics. Power and authority are concentrated at the top echelon of the government based in the capital, leaving very little authority and resources at the disposal of elected bodies at the local level.

The economic disparity between the rich and the poor continues to widen, with frightening prospect for society. All the benefits of state patronage are provided to the rich, in spite of the fact most of them do not pay their taxes.

Social disparity among different strata of the population continues to deepen. Contrasting values and conflicting ethos are evident. Morality has become the biggest casualty at the present time. A recent survey on urban service delivery shows that slum dwellers in some areas of Dhaka have access to illegally supplied city only from the evening unit 5 AM at a monthly cost of Tk. 50 for each electric bulb. In contrast, Gulshan residents pay Tk. 13-15 for the same service but for 24 hours a day. Slum dwellers pay Tk. 2 for each bucket of water in areas where they can't have regular, water connections. In contrast, how much do people in Baridhara pay? - Tk. 4.33 per liters of water. These are examples of the inequitable consequences of poor governance and systemic inefficiencies. Poor people can't build resistance against this. They can't even complain, because they need the services but can't get them legally (Temple, 2002).

The Human Development Report has defined the goals of good governance as respect for fundamental rights and freedom, accountability of the rulers, fair rules, institutions and practices governing social interactions, non-discrimination based on race, ethnicity, class, gender, most importantly responsiveness of economic and social policies

conforming to people's needs and aspirations. Even countries with long and uninterrupted democratic records like India and Sri Lanka in the region have not fared very well in the report. In the 2002 Index, Bangladesh ranked 145 out of 173 nations, the Maldives 84, Sri Lanka 89, India 124, Pakistan 138, Bhutan 140 and Nepal 142. The scenario is not at all encouraging. True, there may not be any panacea to resolve manifold problems peculiar to this area but certainly things can be improved much given the will, sincerity and endeavors accompanied by realistic and pragmatic measures (Chowdhury, 2002).

Corruption in political arena is nothing uncommon in democracies and even in advanced nations but in South Asia it is a malaise in many ways. This hinders the growth and development of democracy and economy. In Bangladesh, Corruption has become so endemic that it has engulfed both public and private sectors and touched and affected, in one way or another, many individuals. The chief minister of West Bengal state of India lives a modest life in a 800-sq. feet apartment with his mother, wife and daughter, where many politicians of Bangladesh with no known source of income maintain a luxurious life (Chowdhury, 2002). So it is little wonder that the country enjoys the dubious distinction of being perhaps the most corrupt country in the whole world. No one seems to be too worried about this. This may be because the policy makers of Bangladesh have accepted the reality and feel that nothing needs to be done about it.

The following table depicts the strong undercurrents linking corruption to development indices.

Table 2 : Corruption & Development: A Vicious Circle

Country	CPI 2002 Score	Overall rank based on HDI 2002	HDI value
Bangladesh	1.2	145	0.478
India	2.7	124	0.577
Pakistan	2.6	138	0.499
Sri Lanka	3.7	89	0.741

The very fact that the three big countries in the region - India, Pakistan and Bangladesh- figure among the poor performers in both the CPI (Country Performance Indicator) 2002 (published by Transparency

International) and the HDR (Human Development Report)- 2002 (published by the United Nations Development Programme) has to be viewed against this stark backdrop. Interestingly enough, the table also reveals that the less corrupt a country is the better it fares in human development indicators. These surveys also tell us quite clearly and loudly the fact that there is a lack of accountability, which is considered to be the core of failure of governance in Bangladesh (Hasan, 2003).

A country's political system plays a pivotal role in shaping its destiny for good or bad. Political parties, the structure of government and international donors all in varying degrees influence or attempt to influence the nature of the political system of Bangladesh. Political parties, whether big or small, become most visible during election time. All parties profess to adhere to democratic principles. But the reality is different. The two major political parties of Bangladesh are Awami League (AL) and Bangladesh Nationalist Party (BNP). Both the supreme leaders of the AL and the BNP were given leadership positions with very little or no previous political experience. Heredity and kinship were the key determinates of their accession to power. The country's two major political parties thus survive on family tradition. This permanent nature of the supreme leadership has a number of adverse consequences for the healthy development of politics and political parties in the country (Khan, 2003).

The effective functioning of each and every organ of government is an essential prerequisite of good governance. In Bangladesh the dominant position of the executive within the political system is widely known. The parliamentary system that has been in existence without interruption for a little over a decade can best be termed a prime ministerial system. The prime minister enjoys and exercises an enormous array of power to the detriment of the legislature. The legislature in a genuinely parliamentary systems plays a critical role in overseeing the activities of the executive. Instead, in Bangladesh the legislature is confined to playing second fiddle to the executive.

The present size of the civil service is large compared with the tasks it performs. But reform-resistant public sector officials and employees are mostly poorly paid, ill disciplined and improperly trained. All these facts are linked with the overall work culture of this country and the way they are recruited. Avoiding responsibility for decisions and the non-merit-based selection of personnel combined together has created a

situation where competence is lacking. This lack of competence has created an environment of uncertainty, uneasiness and paranoia in the civil service. The greatest casualty of this situation is the ordinary citizen, who has to be content with poor service delivery, corruption and the bad behavior of street-level bureaucrats.

Good governance depends on having in place mechanisms that hold the government accountable to the public in a way that ensures the equitable treatment of all its citizens. This requires respect for the rule of law, based on an honest and fair judicial system and effective law enforcement. Effective accountability depends on systems and processes respected by everyone concerned, with effective and consistent sanctions applied when transgressions occur (Temple, 2002).

Judicial independence is a fundamental prerequisites for a society premised on the rule of law. Although the Constitution speaks volumes about the separation of the judiciary, but this has taken place after 38 years of independence. A number of amendments to the Constitution leave the judiciary dependent on the executive in several critical areas, including appointment of judges to the Supreme Court, financial grant and logistical support. The lower judiciary's ability to function properly, it is alleged, has been considerably eroded by constant government interference in its domain.

Judiciary is an era that is often talked about in Bangladesh and there is hardly any dispute that the system is expensive particularly for the poor. The expenses involved in the delivery of justice and the time consumed in the process may at times appear to be appalling. In 2002, we saw a report in newspapers that some people were sentenced to death in Bogra for committing murders but it took six years for the court to hand down the judgment. Then there are higher courts. At the same times, one notes with satisfaction the speedy trial of cases involving "Trisha" and "Shihab". The law minister spoke about more measures for quick disposal of cases of certain offences and these decision are definitely welcome. There have been a lot of talks by different quarters on the legal system, particularly at the lower tiers. This needs to be streamlined because a large number of rural people are involved with this apart from the issue of governance (Chowdhury, 2002).

One more important aspect of good governance is efficient and accountable management public finances. This is an area of great weakness in Bangladesh. The chain of accountability linking the people,

the legislature, and the executive has serious gaps. Repeated documentation of waste, fraud and abuse of public funds has resulted in very little action. This encourages further corruption (Temple, 2002).

One of the pressing problems in governance today concerns the politicization of the public bureaucracy and its effect on administrative performance. On the other hand, lack of accountability and transparency in the affairs of the state is considered to be a major impediment to effective governance. The governance system in Bangladesh is premised on a lack of accountability and secrecy. These two factors combined together have made governance in this country inefficient, ineffective and expensive.

The role of the donor community in a country like Bangladesh is significant as the country continues to depend heavily on the donor's aids and grants. International multilateral organizations and major donors have openly expressed their dissatisfaction with how the governance system works in Bangladesh. They have openly voiced concern about the deteriorating law and order situation, continuing political turmoil, massive corruption and inefficiency in the public sector, burgeoning size of the civil service and failure to leave business activities to the private sector. There is a strong unanimity of opinion among members of the donor community that governance has weakened significantly in recent years mostly because of a lack of collective improvement efforts (Khan, 2003).

So far we have discussed the state of governance in Bangladesh, by which has depicted the scenario of poor governance. It is apparent that lack of morality to the rulers and the administrators of the country like Bangladesh, they did not accomplish properly their duties and responsibilities which was concerned to service to the people. As a result after 38 years of the independence, the people of Bangladesh is far from development.

Recommendations:

In a workshop entitled "Good Governance and Accountability in Bangladesh", organized by News Network, Former World Bank Country Director for Bangladesh Frederick T. Temple strongly and confidently said that governance would improve in Bangladesh if loan defaulters, corrupt politicians, bureaucrats, businessmen, and terrorists is to be prosecuted successfully and incarcerated (Temple, 2002). However, a set

of recommendations are given here for establishing good governance in Bangladesh. The suggestions include reforms in various political systems, executive, judiciary and legislative branches and education system.

1. Political system must be overhauled with honest, competent, patriotic and visionary leadership through meaningful and effective reforms.
2. Freeing politics from ill clutches of power legacy or any kind of nepotism.
3. Zero tolerance to corruption by top leaders, including the Prime Minister and the Leader of the Opposition.
4. Anti-Corruption Commission should extremely be empowered to initiate any kind of action on valid grounds against any person irrespective of alleged person's financial or social status.
5. Law enforcing agencies should be kept free from any political influence.
6. Ensuring complete independence of the Judiciary, Election Commission, local government institutions and Anti-Corruption Commission so the corruption within the government cannot impinge on them.
7. Parliament, Supreme Court, Election Commission as well as administrative and financial institutions should be made strengthened and effective.
8. Banning all activities, which go against public interests i.e. student politics, hartal, strike, blockade program etc.
9. Giving party nominations to honest, committed, energetic and patriot young people replacing those corrupt veteran politicians who are proved to be dishonest, self-centered and power hungry.
10. Rectification of the faults and loopholes in the whole education system of our country.
- II. Refinement of slipups in administrative infrastructure like local government.
12. Establishing realistic rules and regulations for all public recruitment and promotion, and keeping out the administration, police etc from all types of influence.
13. Ensuring freedom of mass media, both private and state-run ones in true sense. Establishing parliamentary democracy and holding all

discussions in Parliament.

14. Ensuring the right to information repealing the Official Secrets Act to ensure transparency and accountability of the administration.

15. Major national issues concerning governance should be made open for opinions and votes.

16. Conducting regular surveys and researches to monitor public opinion on important issues and revising policies and decisions accordingly.

17. Ensuring a high degree of transparency and accountability in public and corporate processes.

18. Promotion of independent media (both visual & print) to disseminate information about each elected parliament member's wealth status from day one of his/her submission nomination paper till the last day of his/her parliament membership.

19. Ensuring decentralization of power, responsiveness and adoptability of the government removing 'red-tapism' in the administration.

20. Strengthening local government and efficiency in managing resources.

21. Training of all government officials and employees to make the administration dynamic and effective.

22. Institutionalize a formal process for the private sector and civil society to participate rule-making and government decision-making.

23. Making people aware of their rights and strengthening and enforcing the election code conduct.

24. Appointing the Ombudsmen, surprising visits by top executives to different institution and places and making report back to their respective authorities for immediate actions corrections.

25. Privatization of the institutions and service sectors for better management to boost economic growth, for instance Chittagong Seaport, Mongla Seaport, Bangladesh Biman Bangladesh Railway, etc.

26. A strong and comprehensive security should be in place to protect investment.

27. Ensuring human security and improving human rights condition.

28. Pro-active role by civil society, professional bodies, NGOs in making public awareness about their rights in society and conducting social a campaign against misdeeds a corruption.

Conclusion:

Discussion and debate continue throughout the world about the meaning and dimensions of governance. Yet consensus still eludes as to the accepted and authoritative meaning of term. The quest for consensus is linked with using the term as a 'tool kit' to understand and analyze the relationship among various governmental institutions and other organizations and group operating with in the society. It should be clear that good governance is an ideal, which is difficult to achieve in its totality. Very few countries and societies have come close to achieving good governance in its totality. However, to ensure sustainable human development, actions must be taken to work towards this deal with the aim of making it a reality. Although a lot of measures need to be taken for ensuring good governance, yet scholars, academicians and intellectual groups think utmost importance needs to be given to make our parliament efficient and strength by suitable and honest leadership, building institutional capacity and strengthening parliamentary oversight. They hope, if sincere efforts can be taken for implementing the above-mentioned steps to make our parliament as well as other organs and institutions of the government effective and they can play their role sincerely and properly good governance will be ensured. On the other extreme, the oppositions, civil society, social groups and organizations also have the moral obligations to help and cooperate with the governments in this juncture.

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Sexual Harassment in Bangladesh: Our Cultural Backdrop and the Role of Law in Addressing the Occurrence

Meftahul Jannat *

***Abstract:** This article is an attempt to focus on the cultural backdrops responsible for sexual harassment and the role of legislation in addressing the problem in Bangladesh. Different socio-cultural factors related to sexual harassment have been highlighted in this study. While participation of women in labor market has ensured the economic empowerment of women, sexual harassment is frustrating the overall situation. Women from almost every segment of the society have been experiencing the occurrence. In this article the existing provisions and their lacunas have been discussed. At the end of the study some ways and means have been suggested. The paper aims to explore the issues pertaining to processes that expose women to exploitation and sexual harassment in their workplaces and streets and to highlight our existing laws and their limitations.*

Introduction:

Sexual harassment has just emerged as a vital issue in Bangladesh. The issue, involving aspects of power and sex in respect of violence against women, is gradually coming under public scrutiny. The growing impoverishment and lack of security of women has been a long-standing concern of the women's movement in Bangladesh, where women are categorized as dependents whose material entitlements are endorsed and controlled by the male members of the family. Though women are assigned to a subservient role in the patriarchal society in Bangladesh, socio-economic changes have compelled women to depart from sex-stereotyped roles and engage in income generating activities outside their homes.

While the participation of women in the labor market has ensured a degree of economic empowerment, and a renegotiation of gender relations, the situation has simultaneously frustrated by another phenomenon that is SEXUAL HARASSMENT. Sexual harassment is a hazard encountered in workplaces across the world that reduces the quality of working life; jeopardize the well being of women.

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Sexual harassment of women in streets and workplace is a common occurrence, which is experienced by women from almost every segment of the society. Recently another sector, the educational institutions has been experiencing the phenomenon, which is an obvious threat on our society. Due to the traditional backdrop in Bangladesh where chastity in a woman is of utmost importance, victims of sexual harassment suffer in silence rather than protest against it. Moreover, this has not been received considerable attention in its proper perspective. This paper aims to explore the issues that expose women to sexual harassment in their workplace, streets and to highlight our legal provisions.

Conceptualizing Sexual Harassment:

Definitions of sexual harassment that have emerged as part of western ideology have a number of components to them. Some of the important features that are construed as constituting sexual harassment are-behavior unwanted by the recipient; sexual dimension to the incidents; the power the harasser exerts, which may apart from being sexual in nature, exploit an economic or authority dimension existing between the parties; and the loss experienced by the victim.¹

Sexual harassment has been defined varyingly by the experts. Russel, describes sexual harassment as "deliberate or repeated unsolicited verbal comments, gestures or physical contact of a sexual nature that is considered to be unwelcome by the recipient".² Farley adds, "staring at, commenting upon or touching a women's body, requests for acquiescence in sexual behavior, repeated non-reciprocal propositions for dates, demands for sexual intercourse and rape" as aspects of sexual harassment.³ Sexual harassment has also been defined, in terms of employment conditions, as "any physical or verbal conduct of a sexual nature.....which is unsolicited, repeated and unwelcomed, or when submission to such conduct is implicitly or explicitly a term or condition for decisions which would affect promotion, salary or any other job condition; or when such behavior creates an intimidating, hostile or offensive work environment for one or more employees".⁴ Offensive

¹ Houghton-James, H., *Sexual Harassment*, Cavendish Publishing Ltd., London, 1995, p.6.

² Russel, D., *Sexual Exploitation*, Sage Publications, Beverly Hills, 1984, pp. 269-70.

³ Farley, A., *Sexual Shakedown*, McGraw-Hill Book Company, United States, 1978, p. 33.

⁴ Hadjifotiou, N., *Women and Harassment at Work*, Pluto Press Ltd., London, 1983, p.8.

behavior may include both verbal and non-verbal conduct ranging from sexist jokes, graffiti and sexually explicit pictures of women, touching, fondling and other acts of sexual nature.

A variety of behavior has been designated as sexual harassment. From these range some of the most egregious behavior prohibited by the criminal law - rape, sexual assault - to conduct which can, in certain circumstances, be an innocuous part of day-to-day interaction - comments, jokes, physical contact. The kinds of conduct characterized as sexual harassment can be categorized as physical, verbal and non-verbal conduct. Each category encompasses a wide range of actions, some of which are illustrated below.

Examples of sexual harassment:

A. Physical conduct

- Physical violence
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favors.

B. Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated social invitations
- Insults based on the sex of the worker
- Condescending or paternalistic remarks

C. Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling⁵

It is therefore clear that the term covers a wide range of behavior in given contexts. Certain of these kinds of behavior are inherently offensive: those involving physical violence or verbal aggression are the most obvious examples. But others mentioned above could, depending on the circumstances, be entirely harmless. Physical contact, for example, may

⁵ M. Rubenstein: "Dealing with sexual harassment at work: The experience of industrialised countries", in Conditions of Work Digest: Combating sexual harassment at work, Vol. 11, No. 1, 1992, p. 11.

be strongly objected to, tolerated or encouraged; jokes offensive to one person may be appreciated comment may be welcomed, tolerated, or considered offensive depending on the relationship between the individuals involved, the context in which it was made, or even the tone in which it was delivered. Additionally, the kinds of behavior considered sexually harassing appear to vary among different cultures.

There are two main assertions that run through definitions of sexual harassment. First, sexual harassment involves acts or behavior which has sexual overtones and is unwelcome and unreciprocated. Second, it demonstrates a dimension of unwanted sexual power, which is reflective of existing gender relations. In the circumstances, sexual harassment may be described as the imposition of unwanted sexual demands on another person in a relationship of unequal power.⁶ This indicates that the perpetrator's behavior enable him to place the victim in a subordinate position in relation to himself. Though the subordination is generally on a gender level, there may also be an economic dimension on it, if the victim's working conditions are affected.⁷ While sexuality is integral to sexual harassment, abuse of power and authority by male on the basis of the assumption that power lies with the men is fundamental to the undermining of the safety and security of women.

Legal definition of sexual harassment:

Most of the jurisdictions in which sexual harassment is directly prohibited include a definition in their legislation. In others, the legislation states that sexual harassment is prohibited, leaving the decision-making bodies to clarify the kinds of actions covered and the circumstances in which they will be prohibited. This approach threatens uncertainty while the parameters of the definition are established. In those legal systems in which definitions form part of the legislation, some are relatively succinct. In contrast, some statutory definitions are more detailed. The Israeli Prevention of Sexual Harassment Law, for example, sets out a list of six different kinds of behavior covered by the Act. In jurisdictions in which the prohibition of sexual harassment is a judicial innovation, contrasting approaches have been taken to defining it. In India, the Supreme Court has issued a set of detailed guidelines on

⁶ Mackinnon, C., *Sexual Harassment of Working Women*, Yale University Press, London, 1979, p.1.

⁷ Khair, Sumaiya, *Understanding Sexual Harassment in Bangladesh : Dynamics of Male Control and Female Subordination*, The Dhaka University Studies , Part-F, Vol.X(1) :87-110, June 1998, p.88.

measures which must be adopted by employers to prevent sexual harassment, which include an extensive definition.⁸ In other jurisdictions, the courts have established the parameters of sexual harassment on a case-by-case basis.

Definition of sexual harassment: Sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as:

- Physical contact and advances;
- A demand or request for sexual favors;
- Sexually colored remarks;
- showing pornography;
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.⁹

After the discussion we can say that sexual harassment includes-

- ♦ Conduct of a sexual nature or other conduct based on sex, affecting the dignity of men and women -- at work or in any other public space -- which is unwelcome, unreasonable and offensive to the recipient.
- ♦ Where a person's rejection or submission to such conduct is used explicitly or implicitly as the basis for decisions affecting that person's employment status (quid pro quo harassment).
- ♦ Conduct that creates an intimidating, hostile or humiliating work or work-related environment for the recipient. Such conduct includes demeaning or inappropriate language (including body language), verbal threats or actual physical contact.

As described above, sexual harassment need not be limited to potential or actual conduct of a sexual nature, but can include conduct based on a person's social identity as a woman.

The Cultural Backdrop to Sexual Harassment:

In order to understand the occurrence of unwanted sexual behavior in its proper context it is necessary to evaluate the construction of gender roles

⁸ Supreme Court of India in *Vishaka v. State of Rajasthan* (1997) 6 SCC 241, Guideline.2.

⁹ Supreme Court of India in *Vishaka v. State of Rajasthan* (1997) 6 SCC 241.

and their impact on behavior patterns, sexuality and ultimately the relations between men and women. Existing socio-cultural norms in Bangladesh relegate women to an inferior position within the family and the wider community. This is possible mainly because patriarchy, as an ideology, apart from setting out basic standards for women to which they are expected to conform, also allows men to exercise full control over the property, person and labor of women. Gender roles are learnt through socialization, which takes place from birth. The process, shaped to a great extent by patriarchal norms, begins at home affecting male and female children in different ways. It is common to parents to instill traditional sex-stereotyped ideologies into children's minds. Socialization of girls in Bangladesh is in keeping with the lifelong of subservience and self-effacement that women are expected to play. Initial processes, ordained largely by social norms, begin by training the girl to perform the part of a docile daughter in preparation for her role as a compliant wife and dependent mother.¹⁰

Women in Bangladesh traditionally live in a dichotomized world, which indicates the culturally differential power and resources allocated to men and women in society. This essentially imposes a strict division of labor and fosters a systematic supremacy of male. By relegating women to the "private" sphere, they are denied liberty, visibility and independence- a situation often perpetuated by women themselves as it is important not to challenge the formal authority of men if good relationships within households are to be maintained.¹¹ In the interests of good relationships in the households and the community it is, thus, important that women remain passive and unassertive by subordinating their needs to those of the dominant male members of the family.

The dichotomy between public and private is often justified by referring to men and women's inherent physical and biological qualities. Theories on the subordination of women are based on the perspective of biological determinism.¹² It is observed that these theories reduce women to biological entities and their tasks are viewed as the work of 'nature' whereas men are elevated to the status of culture by regarding their tasks

¹⁰ Khair, op. cit, 1998.

¹¹ Punalekar, S. P., *Gender, Class and Culture : Situation of Girl Children in India*, Ashish Publishing House, New Delhi, 1991, p.26.

¹² Pulerker, *ibid*.

as truly human.¹³ Thus, it is contended that -

*This covert or overt biological determinism, paraphrased in Freud's statement that anatomy is destiny, is perhaps the most deep-rooted obstacle for the analysis of the causes of women's oppression and exploitation.....women find it very difficult to establish that the unequal, hierarchical and exploitative relationship between men and women is due to social.....factors. One of our main problems is that not only the analyses as such, but the tools of the analysis, the basic concepts and definitions, are affected rather infected-by biological determinism.*¹⁴

Sanctified by fundamental religious interpretations, biological determinism succeeds in perpetuation patriarchal notions that project images of male strength and dominance and female weakness and dependence .It is argued that

*Islam clearly states that women and men have their own sphere of activities -a functional division in accord with their respective natural dispositions and physical and psychological qualities and inherent characteristics.....This is how the doors of a number of social and economic ills have been closed.*¹⁵

The above contentions present a double edge. While advocating women's activities in their own sphere, what it actually conveys is that enforced segregation between men and women has actually closed the doors of social and economic emancipation and independence for women.¹⁶ It follows therefore, that although that public or private dichotomy is purportedly based on natural biological differences; such division is really socially constructed in a manner that works to the advantage of men and disadvantages of women.

Just as gender roles are socially constructed, so is sexuality. Men essentially gain power through ways in which culture constructs sexuality

¹³ Pandhe, S., Women's Subordination: Its Origin, Kanak Publications, New Delhi, 1989, pp.30-31.

¹⁴ Mies, M., et. al., (1988) Social Origins of the Sexual Division of Labour, Zed Books Ltd., London, p.68.

¹⁵ Maududi, A.A., Purdah and the Status of Women in Islam, Islamic Publications Ltd, Lahore, Pakistan, p.81.

¹⁶ Khair, op.cit, 1998.

and male female relations.¹⁷ The segregation between men and women in the economic sphere is duplicated and reinforced at the ideological and religious levels in Bangladesh where observance of purdah acts as a powerful operator. Adherence to purdah norms helps to maintain the distinction between male and female spaces. Apart from isolating women from economic arenas, purdah is considered essential in order to protect the chastity of the female since sexual purity is traditionally an overriding consideration at marriage. The principal measures of securing family honor in Bangladesh are based on female modesty and the control of their sexuality. In a patriarchal backdrop sexuality of women is qualified in two ways: women, on the one hand, are regarded as sex objects who are required to be secluded in order to protect men from their charms, and on the other hand, they are seen as being susceptible to sexual assaults, requiring protection themselves. In the circumstances, purdah is deemed essential for the control of sexual desire and aggression and also the moral standards specified by society.¹⁸

The distinction provided by purdah norms generates a "double standards of sexuality". One of the overriding factors discouraging female participation in activities in the public or male space is the fear of sexual aggression against women. A female crossing over to male space is regarded as moving away from the protection of the family, "legitimately" attracting male harassment and violence.¹⁹ The practice of purdah demonstrates a double standard that helps to rationalize the prevalent male sexual attitudes and their control over women's behavior. It is pointed out that:

While it is obvious that female presence in public areas certainly makes access to them easier than if they were enclosed within their homes.....it assumes that a man is totally unable to control his sexual impulse and a women has no right over her body, nor any choice in sexual matters.²⁰

¹⁷ Caplan, P., (1987), *The Cultural Construction of Sexuality*, Tavistock Publications, London, p.10.

¹⁸ Khair, op. cit, 1998.

¹⁹ Lewis, D. J., *et al.*, (1993), *Going it Alone : Female Headed Households, Rights and Resources in Rural Bangladesh*, Occasional Paper 01/93, March 1993, Centre for Development Studies, University Of Bath, U.K., p.20.

²⁰ Jahan, R., (1988), *Women and Development. Challenges and Opportunities*, Ford Foundation Dhaka, p.214.

This form of division of labor not only imposes on women in segregated societies a great responsibility in the moral sphere, but the public and private dichotomy indicates the culturally differential power and resources allocated to men and women in the society and the consequent subordination of women therein.²¹ It is observed that:

*In the patriarchal, patrilocal, patrilineal society of Bangladesh, socio-cultural values sanction segregation of the sexes, impose strict gender division of labor and foster a systematic bias of male supremacy.*²²

Thus, men grow up seeing women objectified in specific contexts. Since women's identity is often tied to their bodies, women are subjected to control of men through sexual exploitation, the fact, that social construction of sexuality regards the behavior of men as socially and biologically acceptable, male assertiveness, gives them the option of not questioning their attitude towards women. Men do not want women to challenge their masculinity and as such, strive to ensure that women are socialized into adopting a submissive and dependent role, which would deter them from asserting themselves against men when sexually harassed.

The impact and Cost of sexual harassment on women:

Sexual harassment leaves a lasting impact on the victims. Women who have been sexually harassed experience multidimensional losses in respect of their status and power, which are more often than not, physically, emotionally, psychologically and economically debilitating. Victim of sexual harassment also committing suicide which has a tremendous adverse effect over our society. There are occasions when victims feel personally responsible for the incidents. Women feel that in some way, whether by dress or demeanor, they may have precipitated unwanted sexual advances by men. Since interacting with women in terms of their sexuality is condoned as acceptable male behavior, it is deemed natural for men to conduct themselves in this fashion.

A basic problem with sexual harassment is its acceptance, on account of its pervasiveness, as a common feature of relations between men and women in their daily existence. Women are more likely feel embarrassed

²¹ Papanek, H., (1982), 'Purdah : Separate Worlds and Symbolic Shelter' in Papanek, Chanakya Publications, New Delhi, p.36.

²² Jahan, op.cit., 1988.

by the incidents rather than to protest against such conduct and seek redress. Women may not necessarily approach events by how they feel about a particular situations or modes of behavior, but in terms of the way they have been socialized to react.²³ In the circumstances, women are reluctant to report the incidents of harassment to avoid public scrutiny, which means that unwanted sexual conduct is not highlighted much less perceived as an offence.

The experience of sexual harassment is an affront to a worker's dignity and prevents women from making a contribution commensurate with their abilities. The effects of sexual harassment on its victims are well documented. Studies routinely confirm that most are upset by it, and that many experience feelings ranging from irritation and nervousness to anger, powerlessness and humiliation. At its worst, sexual harassment can make their working lives miserable and even dangerous. Research has shown that victims can eventually become ill when subjected to sexual harassment on a regular basis; particularly where it is perpetrated by a supervisor, involves sexual coercion or takes place over a long period of time or in a male-dominated setting. 18 It has been found to trigger a wide range of ailments, including stress-related illnesses, high blood pressure and depression. Ultimately, victims of sexual harassment may miss out on career opportunities or leave their jobs.²⁴

Sexual harassment also costs employers. When harassed workers lose concentration, when it interferes with their judgment, when they are difficult to motivate or tend to be late or absent, employers incur significant losses. In a recent Canadian survey, for example, nearly one-third of victims reported that their jobs had been affected by sexual harassment. In these circumstances, productivity may decrease, team work be jeopardized, and the risk of workplace accidents increase. Ultimately, employers may lose valuable workers, while others may be dissuaded from applying for vacancies. Employers who fail to prevent sexual harassment may also face the financial costs of sick pay for employees who become ill, and legal bills from court actions brought against them.²⁵

²³ Houghton-James, *op.cit.*

²⁴ Crocker and Kalembera, *op. cit.*, note 9; P.H. Loy and L.P. Steward: "The extent and effects of the sexual harassment of working women", in *Sociological Focus*, Vol. 17, 1984, p. 31

²⁵ Siddiqi . Dina.M., *The Sexual Harassment of Industrial Workers: Strategies for Intervention in the Workplace and Beyond*, CPD-UNFPA Publication Series, June 2003.

In addition, where sexual harassment causes disproportionate numbers of women to feel unwelcome, uncomfortable or threatened in their places of work, or even forced to leave their jobs, it functions as a form of sex discrimination. Allowing it to continue risks many women being reluctant to take up traditionally male jobs or jobs in a largely male workforce. Women's equal opportunities are threatened and their position in the labor force undermined when they are dissuaded from applying for higher-status, well-paid, traditionally male jobs.²⁶ For these reasons, sexual harassment has been approached as a form of sex discrimination by emphasizing its discriminatory effects and prohibiting it in anti-discrimination laws and policies.

Role of law in addressing sexual harassment:

It is essential to examine the role of law as a source of redress and social changes in respect of conduct that is so fundamental to gender relations.

Before the enactment of Nari O Shishu Nirjaton Domon Ain 2000, apart from the provisions of The Penal Code 1860, there was no specific legislation that acknowledged or addressed the issue of sexual harassment as an offence. Section 354 and 355 of The Penal Code states that aggravated assault includes the intent to outrage the modesty of a woman and the intent to dishonour a person respectively. Section 509 of The Penal Code further states that, the uttering of words, the making of any sound or gesture, or the exhibiting of any object intending to insult the modesty of a woman is punishable. In *State v. Hetram*²⁷, the accused was booked under section 354 for dragging a 15 year-old girl to a secluded spot when she was returning home.⁹ Again, in the case of *Muhammad Sharif v. State*²⁸, it was held that a group of young men following a group of young girls and pestering them and using indecent gestures and words constituted an offence under section 509 of The Penal Code as it is tantamount to insulting their modesty.

Section 294 of The Penal Code 1860, prohibiting obscene acts or songs causing annoyance to others may also be used to redress sexual harassment. For instance, Saxena records a case where a school teacher was plagued by indecent jokes by the headmaster in the presence of other teachers. The accused headmaster was found guilty under section 294 of

²⁶ MacCann.Deirdre, Sexual Harassment at Work : National and International Responses, Conditions of Work and Employment Series No. 2.

²⁷ 1982 Cr.L.R.(Raj) 522 cited in Saxena, Shobha, Crimes Against Women and Protective Laws, Deep and Deep Publications, New Delhi, 1995, P.217.

²⁸ 9 D.L.R. (1957) S.C., 127.

The Indian Penal Code 1860.²⁹

The Nari O Shishu Nirjaton Domon Ain 2000 was enacted in view of preventing violence against women and children. The Act seeks to focus on issues that have not hitherto been addressed, such as child sexual abuse and sexual harassment. Section 10 of the Act provides that any man who outrages the modesty of a women, in order to satisfy his carnal desires or makes indecent gestures will be guilty of sexual harassment and will be punishable with rigorous imprisonment of not exceeding ten years and not less than three years and with or without fine.

May 13, 2009 is one of the noteworthy days in the legal history of Bangladesh since the High Court Division of the Supreme Court issued a set of guidelines defining sexual delinquency to prevent any kind of physical, mental or sexual harassment of women, girls and children at their workplaces, educational institutions and other public places including roads across the country. The HC directed the government to make a law on the basis of the guidelines, and ruled that the guidelines will be treated as a law until the law is made. The court directed the concerned authorities to form a five-member harassment complaint committee headed by a woman at every workplace and institution to investigate allegations of harassment of women. According to the HC rule, majority of the committee members must be women. Lawyers concerned said quoting the HC observations that the committee will examine complaints from girls or women if they are subjected to any mental, physical or sexual harassment, and recommend to the authorities to take action against the accused persons.

Disturbing women and children through letters, e-mails, SMS, posters, writings on walls, benches, chairs, tables, notice boards and threatening or pressing them to make sexual relations are sexual harassment and torture, the lawyers said quoting the judgment. They also said rape, sexual provocation, envious or intentional propaganda against women and children, and showing such films, digital images, paintings, cartoons, leaflets, posters and still photographs are also considered as indirect sexual harassment and torture.

According to the guidelines, nobody can touch or hurt with any bad intention any part of the body of a girl or woman. Any indecent word or comment cannot be used about them, and any unknown adult girl or any

²⁹ Chandra Kala v. Ram Krishna, 1985 Cr. L. R.(S.C.),365 cited in Saxena, op.cit., pp.219-220.

woman cannot be addressed as a beautiful one with any bad intention. Teasing women and children through e-mail or telephone will also be considered as offence, and ordered that any kind of provocation or character assassination will have to be stopped.

The HC prohibited the authorities concerned from disclosing the names and addresses of the complainants and accused persons until the allegations are proved. The HC asked the law secretary, women and children affairs secretary, education secretary, labour secretary, information secretary, University Grants Commission (UGC), university authorities, Bangladesh Garment Manufacturers and Exporters Association (BGMEA), Bangladesh Knitwear Manufacturers and Exporters Association (BKMEA), Bangladesh police and Bangladesh Bar Council to comply with the guidelines.³⁰

This move by High Court must remain as a landmark in the history of judiciary for protecting women from sexual harassment.

Lacuna in existing legislation:

Though women's legal position is implied in various legal instruments in Bangladesh, women's rights embodied therein remain largely unenforced. The prevailing legal system in Bangladesh is paternalistic towards women to the extent where protection of women is tantamount to protection of a man's property. Consequently, the law institutionalizes male dominance over women in almost every sphere of life, which refers not only to the inadequacy of the law but also to the many discriminatory legal provisions that affect women adversely.

Lack of clarity and due to ambiguity of expression in legal texts, result in protracted legal controversies, which deprive women of protection. Since existing laws do not cover many dimensions of violence against women, the focus of the prosecution also tends to be narrow. Thus, while protective legislation specifies only certain forms of aggression such as causing death, grievous hurt, rape and so on, and imposes stiff penalties accordingly, it is confined in its dimension and fail to identify other diverse forms of violence that affect women.³¹ Consequently, acts outside the ambit of existing laws enacted to combat gender violence do not merit

³⁰ <http://www.clcbd.org/index.php/201003023536/Chancery-Law-Chronicles-Cases/Constitutional-Law/Fifth-Amendment-to-the-Constitution-of-Bangladesh-Judgment-2005-34-CLC-HCD>

³¹ Kapur, Naina, (1998) Respecting Difference: Sexual Harassment in India, paper presented at the Workshop on Acknowledging Sexual Harassment in Bangladesh, organised by the British Council, 2-3 July, 1998.

any remedy.

A prosecution of sexual harassment under section 354 of The Penal Code depends on the proof of two matters. One that the accused used criminal force or assaulted the women and two, that such assault was done with an intent and knowledge that it was likely to outrage the modesty of the women. Therefore, it is not enough that to prove the assault that actually taken place but that it was done with full intention and knowledge. This brings the problem of furnishing evidence.

Cases of violence require the application of the laws of evidence, which often involves queries of delicate and intimate nature, which most women in socio-economic context of Bangladesh find difficult to respond. Moreover, the defense lawyers frequently indulge in unnecessary character analysis of the victim vitiating from the actual context. Victims, in that process, suppress real evidence. Moreover, the prevalent patriarchal system nearly always places the burden on the women to prove that she did not actually consent to the offending act. Where a person is subjected to violence law presumes there will be some perceptible signs. Being a more elusive form of intimidation, sexual harassment hardly leaves visible evidence of injuries. Proof of sexual harassment may not be easy to obtain as the nature of behavior is such that it usually occurs when there are no potential witnesses and the victim may subsequently be too ashamed to speak to anyone about the incident.³²

The Nari O Shishu Nirjaton Domon Ain 2000, for the first time made sexual harassment a criminal offence punishable by law in Bangladesh. Section 10 of the Act states:

Any man who, in order to satisfy his lust in an improper manner, outrages the modesty of a woman, or makes obscene gestures, will have engaged in sexual harassment, and for this, the above mentioned male will be sentenced to rigorous imprisonment of not more than ten years and not less than three years and beyond this will be subjected to monetary fines as well (my translation, emphasis added).

The Bangladeshi law deals only with the expression of inappropriate sexual desire and conduct, without specifying geographical jurisdiction. Unfortunately, the law is problematic both in language and overall conception. The current law does not mention workplace harassment since the definition of sexual harassment is limited to acts or intentions of

³² Houghton-James, op. cit., p.129.

a sexual nature, regardless of place. Further, the law does not accommodate actions that are not directly connected to the "satisfaction of lust." It also assumes that what is ultimately at stake is a woman's modesty, where the parameters of modesty are taken for granted. In practice, modesty is a highly contentious and unstable term. The patriarchal assumptions embedded in dominant ideologies of female modesty are hardly conducive to the protection of women who do not conform to accepted social codes. Here it should be noted that the lines between sexual harassment and physical violence against women (such as rape) tend to get blurred conceptually, if we are not careful.³³ It is important to draw the line between physical harassment and rape, which is a criminal offense of a different order.

Recommendations:

1. The current sexual harassment law in Bangladesh provides a point of departure, although its language, which refers to harassment as an outrage to a woman's modesty, is antiquated and limiting. Just what constitutes a woman's modesty is open to interpretation and as we have seen, many people do not consider industrial workers to possess modesty to begin with. There are no written codes for behavior on the street and in any case 'moral codes of decency' are applied selectively. This is a social reality that must be addressed in the law. Moreover, sexual harassment laws need to accommodate forms of gender harassment that are not explicitly sexual. Assuming that laws that refer to female modesty are inherently limiting, it is advisable to take a cue from the Indian Supreme Court judgment of 1997³⁴, and stress the violation of a woman's right to equality, and freedom from all forms of discrimination. In the case of *Vishaka v. State of Rajasthan*, the focus was shifted from a criminal wrong to a systemic discrimination, which required elimination. On the basis of the postulations the Court ruled that :

*.....Each such incident results in violation of fundamental rights of Gender Equality and the Right to Life and Liberty.*³⁵

These are rights that are enshrined in the Constitution of Bangladesh. To fill the lacuna in existing legislation, reference to international legal documents, including those of the International Labor Organization and

³³ Siddiqi. Dina. M., (2003) The Sexual Harassment of Industrial Workers: Strategies for Intervention in the Workplace and Beyond, CPD-UNFPA Publication Series, June.

³⁴ *Vishaka v. State of Rajasthan* (1997) 6 SCC 241.

³⁵ Ibid.

CEDAW, to which Bangladesh is a signatory, can be made.

2. However, enacting progressive laws by itself will not suffice to change the situation. The government in collaboration with women's and labor rights groups should draw up a code of conduct appropriate for the industrial sector. ILO research indicates that workplace harassment policies should include four main components: 1) a clearly defined policy statement 2) a complaints procedure that maintains confidentiality 3) progressive disciplinary rules and 4) a training and communication strategy. In addition, any complaint procedure must ensure that the victim is protected from retaliation. The ILO framework provides a useful model with which to proceed. In terms of concrete actions, the first step should be for the government in collaboration with women's and labor rights to draw up a code of conduct that would be applicable and appropriate for the industrial sector. Subsequently, all factories should put in place a clear and simple complaints procedure. The disciplinary body overseeing such cases should be constituted of persons who will be able to maintain their neutrality during proceedings. The majority of members should be female. Workers must be assured of full confidentiality throughout the process. No procedure will work unless workers are assured of protection from retaliation. In this respect, the system of hiring and firing workers informally needs to be replaced. Workers should be provided with the appropriate documentation upon hiring.³⁶ This does not require any new legislation but simply compliance with existing labor laws. Factory owners must be convinced that it is in their own interests to mete out fair treatment to their employees. This requires highlighting the relationship between low productivity, coercive management practices and sexual harassment. Criminalization or legal prohibition of sexual harassment is inadequate in assisting victims of violence. If there is no institutional support for reporting incidents of harassment, and if her job status is insecure, it would not be in the victim's interest to break her silence.

3. As we all know, it is critical to ensure that existing legislation is implemented and that those in charge of enforcement be held accountable for their actions. By the same token, the efficacy of laws will be constantly undermined if social attitudes, especially widespread cultural tendencies of 'blaming the victim' in cases of sexual harassment, are not

³⁶ Siddiqi . Dina.M., *The Sexual Harassment of Industrial Workers: Strategies for Intervention in the Workplace and Beyond* , CPD-UNFPA Publication Series ,June 2003.

transformed. This requires, among other things, serious gender-sensitive training for those charged with protecting the rights of citizens, especially police personnel and judges. Women cannot expect legal or police protection if the authorities already assume "guilt" or "moral laxity" on the part of women complainants.

4. However, legal solutions that set out to punish perpetrators do not necessarily help those who have experienced sexual harassment. Psychological scars do not necessarily disappear once the offender has been brought to book. Employers should take a proactive stand and provide all women employees with training and counseling services that will prepare them to face potential situations of harassment. Women need to have the self-confidence to be able to distinguish - and report without fear -- between casual, friendly comments and sexual intimidation and blackmail. Counseling services for those who have been subjected to harassment should also be made available.

5. Some practical solutions for combating harassment are -- the provision of women-only buses and company buses as well improved street lighting and patrolling by police who have undergone special training. All personnel in positions of authority should have mandatory gender sensitivity training, especially on the topic of sexual harassment in the workplace. Gender sensitivity training for police personnel is essential.

6. The language of the law against sexual harassment must be amended to reflect a less patriarchal orientation toward women.

7. However, the root causes of harassment cannot be eliminated without a basic transformation in social attitudes toward women, especially toward poor working women. Women's right to inhabit public places, whatever the time or place, should be non-negotiable -- without their having to risk their reputations or their physical safety. In this respect, the mass media arguably has the most important role to play. The media must be sensitized to the relationship between sexual harassment and dominant representations of women workers so that they do not contribute to the problem with sensationalized coverage.

8. Finally, gaining a clearer understanding of the root causes of sexual harassment in contemporary society calls for further research in two areas. The first is the culture of the workplace - of managerial norms and practices of labor discipline -- as they differ across industries and in the larger cultural discourse. Equally important is a consideration of

masculinities and male attitudes toward working women. The relationship between shifting or threatened forms of masculinity, and rising violence against women, has not been analyzed adequately in the context of globalization and increasing inequality. Given the extent of harassment on the streets and other non-work public places, an interrogation of male attitudes appears to be urgent.

Harassment must be located and understood in context -- without sensationalizing the facts. The objective of this paper is not to depict working class factory women as passive and sexually exploited victims, thereby reinforcing dominant stereotypes about class and gender. Nor should recognition of harassment be used as an argument to deny women access to the labor market. Speaking out on harassment is not an endorsement of withdrawing women from wage work. In the same way, it does not follow that women should be banned from doing night work because the risks of sexual assaults are higher for those working the night shift. This kind of logic relies on a discourse of protection that is ultimately quite disabling for women. The purpose of the present study is to understand the factors that make women more vulnerable to sexual harassment in specific situations, and to find effective measures to combat them, so as to create safer, more enabling conditions for all working women.

Concluding Remarks:

The fact that societies do not necessarily possess the same cultural norms regarding appropriate gender behavior indicates that the roles of men and women are not 'natural', but constructed by existing culture. The respective roles that men and women in Bangladesh adopt, are a product of socio-cultural and religious conditioning which stress on certain human traits as particularly masculine and feminine. Stereotypical gender behaviour is inculcated so that being feminine, or masculine, produces conformity which in turn reinforces the stereotype.⁹ Thus, where cultural definitions portray women as inferior and weak, sexism is bound to develop and be perpetuated. Although sexual harassment as a controlling process may not be overtly visible, victims do suffer from health and psychological problems as a result of harassment. Fear of repetition of incidents, often compel women to modify their lifestyles altogether.

Although sexual harassment has traditionally been considered as harmless, it is really a part and parcel of the more massive form of violence against women. It is contended that by its seemingly

harmlessness and triviality, sexual harassment actually impedes women's right to personal integrity and encourages men to transgress against women's right to move, interact and participate freely.

Women have a right to say no, to protest and expose male invasion of their bodies and privacy. They have a right to be evaluated on the basis of their intellect, merit and skills and not on their sexual and physical traits. Since women experience a general lack of power there is a great need to recharacterise civil and political rights in order to ensure that women are not denied access to justice and economic resources. Legislation, in order to be effective, would have to spell out clear guidelines on sentencing and enforcement. It would have to provide protective and rehabilitative services accompanied by provisions for victim compensation and counseling in order to ensure a progressive and determined societal action.

It is equally important to acknowledge the limits of the law. Legislation alone cannot eradicate the problem. While law may benefit women in many ways, incidents would have to be reported before law can be used to deal with them. In Bangladesh where law is frequently seen to benefit only the rich and the powerful, women, by virtue of their subordinate position, are often precluded from its protection. For example, since domestic violence and sexual harassment is seen as a natural corollary to womanhood, such issues hardly receive legal attention. In the circumstances, an ethos of collective care, vigilance and responsible conduct by all members of civil society, including educationists, lawyers, judges, police, towards females in general, is central to effective and vigilant law enforcement.

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The Geopolitical and Strategic Realities: An Important Constituent Part of Bangladesh in Developing Foreign Relationship with Other Countries

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Abstract: Bangladesh today is a secular democratic country, although the West often calls it a leading moderate Muslim country. Lying at the edges of South Asia it has immense geo-strategic and geo-economic importance. Bangladesh lies at the cross-roads of South Asia, South-East Asia, Central Asia and along the Indian Ocean. Bangladesh could not remain out of the ambience of the changes obtaining globally and regionally. Considering her geopolitical and strategic realities, Bangladesh can formulate a dynamic and benevolent foreign policy with various countries that preserves national interest. This study is an attempt to delve into an analysis of the geopolitical and strategic realities of Bangladesh from various angles.

Introduction:

Geopolitics is the study of the influence of geography, along with economics and demography, on the politics of a nation. Geopolitics helps in understanding forces that affect the politics of national states, especially their foreign relations. It provides political leaders with scenes for demonstrating hardheaded statesmanship; comforting and easy applause lines and a workable model of 'gamesmanship' in international affairs.¹ Geopolitics is a new way of seeing international politics as a unified worldwide scene. Outstanding features of the physical location and resources of a country determine to a large extent its status in global politics.² Like geo-politics, national resources, population, military power are important elements of national power. But out of the various elements in the formulation of foreign policy of a country, geographic location occupies a significant position. Because, the country which is geographically situated in a favorable area, can easily formulate its foreign relations with other nations.

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¹ Gearoid O. Tuathail, and Simon Dalby eds., 1998. Rethinking Geopolitics, (London: Routledge), p. 1.

² Gearoid, O. Tuathail, Simon Dalby and Paul Routledge eds., 1998. The Geopolitics Reader, (London: Routledge), p. 16.

Bangladesh is a small and big country of South Asia (small in respect of size and big in respect of population), covering an area of 55,598 square miles (147,570 square km) and has a population of 150 million. The country lies between latitudes 20°38' and (about 26°38'N 390 miles [625 km] from its extreme north and South extensions) and between longitudes 88°81' and 92°41'E (about 190 miles [305 km] from East to West). The Indian states of West Bengal, Assam, Meghalaya and Tripura border Bangladesh in the west, north and east respectively. Myanmar forms the Southern part of the eastern frontier. The total length of the land border is about 4,246 km, of which 93.9% is shared with India and about 6.1% with Myanmar. The country is bounded in the south by the Bay of Bengal. Although Bangladesh is a small country, the length of the coastline is more than 580 km. The territorial waters of Bangladesh extend 12 nautical miles (22.22 km) and the area of the high seas extending to 200 nautical miles (370.40 km) measured from the base lines constitutes the economic zone of the country.³

The geopolitical and strategic realities of Bangladesh

Bangladesh's geographical location is such that she has practically only one neighbor -India. Bangladesh has no option but to depend on India at least for land communication with the outside world. This situation is potentially alarming as she may be put into dangers in time of crisis relations with India. Despite her geographical handicaps vis- a- vis India, Bangladesh seems to possess some geo-strategic importance in her South Asian setting.⁴ Bangladesh's geopolitical importance has increased due to at least three factors. First, Bangladesh is referred to as the third largest Muslim country in the world and as the second in the region. The second factor is Bangladesh's location within the 'geo-strategic frontier' of India, South Asia's most powerful country. And the third is Bangladesh being in close proximity with China, Asia's largest power, considered a strategic rival of both the US and India.

Bangladesh's strength lies in having a huge population, homogeneity of race, common language, fertile lands, availability of gas and locational advantage. Homogeneity and absence of feudal social structure (social

³ Banglapedia, National Encyclopedia of Bangladesh, 2003. vol.1, (Dhaka: Asiatic Society of Bangladesh) p. 486.

⁴ Nuruzzaman, Md. "National Security of Bangladesh: Challenges and Options" in Md. Abdul Mubeen and Muhammad Humayun Kabir, 2003. 25 Years of BIIS: an Anthology, (Dhaka: Academic Press and Publishers Limited in Association with BIIS), pp. 9-10.

mobility) have increased unity among people. Common language of the people is an asset because it avoids conflicts and social divisions.⁵ The geo-strategic realities of Bangladesh can be understood in the following manner, which offers enormous strategic and economic opportunities for Bangladesh.

Bangladesh has locational importance which commands access to the Indian Ocean through the lanes of the Bay of Bengal, location of Bangladesh, as one of the rim states of the Indian Ocean, and lying on the south-west of China and east of India, will, with the passage of time, be more important and significant strategically. Moreover, Bangladesh being a kind of hyphen between South Asia and South East Asia, the two of the fastest growing regions in Asia, can make its role more determining in the events to come.⁶

Geographically the Indian Ocean basin is an aggregate of several sub-regions. It includes South Asia, part of the Middle East, South-West Asia, South East Asia and the South Eastern part of the African continent. The political map of the Indian Ocean comprises 44 littoral and hinterland states,⁷ 35 of which have access to the Indian Ocean.

The Indian Ocean has assumed tremendous geo-strategic as well as geopolitical importance for the countries comprising the Indian Ocean region as well as for the extra-regional powers. Undoubtedly the conceptual paradigm of geopolitics has undergone cataclysmic changes in recent decades, yet it has not in any manner mitigated the significance of the Indian Ocean as such.⁸ In the strategic realm, the Indian Ocean provides the littoral states as well as the outsider states with trade and transportation, natural resources and other things. The geographic location of waters, especially around the Red Sea, the Persian Gulf and the Arabian Sea, provide some of the best locations for the external powers. Major Powers concentrate on the Indian Ocean region because of

⁵ Rashid, Harun Ur, 2004. *International Relations and Bangladesh*, (Dhaka: The University Press Limited), p. 63.

⁶ Ahamed, Emajuddin, 2004. *Political Essay on National and International Issue*, (Dhaka: Boipatra), p. 173.

⁷ Indian Ocean Basin, August 28, 1979. 34th General Assembly Official Records, Supplement no.45, United Nations New York, 1975, in Yevgeni Rumyant, 1988. *Indian Ocean and the Asian Security*, (Ahmedabad: Allied Publisher Private Limited), p. 46.

⁸ Singh, Anil Kumar, 2003. *Indian's Security Concern in the Indian Ocean Region*, Military Affairs Series, (New Delhi: Har-Anand Publications Pvt Ltd.), p. 72.

strategic and economic significance. A new power game in the region is of a high probability and this may have a significant destabilizing impact on the regional states. The regional states should keep in mind that this region is vital to the regional and global economy.⁹

Bangladesh's role in the South Asian inter-State relations is one of the important factors for the geopolitical and strategic realities of Bangladesh. Because, Bangladesh's role in the South Asian inter-State relations also adds to her geo-political importance. Bangladesh enjoys enough diplomatic leverage in the South Asian environment especially after the formation of SAARC, the idea of which was mooted by Bangladesh itself.¹⁰ Besides, almost all the smaller nations of South Asia are at odds in their bilateral relations with India and they are thus juxtaposed to their bigger neighbor. Any external power hostile to India has the possibility to have a confident friend in the region.¹¹

The Chittagong Hill Tracts is also an important part of Bangladesh that can play a vital role in enhancing the geo-strategic importance of Bangladesh. It can be the area of global rivalry. Chittagong Hill Tracts comprises three districts of Rangamati, Bandarban and Khagrachhari. The area can be an important part for the economy of Bangladesh. At present the agricultural land of Bangladesh is facing pressure of cultivation and growing crops for population boom. In order to mitigate that situation we have to think about different alternatives, Multi-dimensional farming in the hills of Chittagong Hill Tracts may be a good alternative. Multi-dimensional farming is such farming where agriculture, horticulture, poultry, fishery, animal husbandry and tourism will be practiced in an integrated way. One practice supports another. The geophysiographic location, water resources of Kaptai Lake, hills, fountains, tribal villages and different ethnic people hydro electronic power etc. and all other facilities are in favour of multi-dimensional hill farming. If Bangladesh government takes proper steps to develop the infrastructure of this area, it would be a great source of income for the economy of Bangladesh that generally would enrich the strategic importance of Bangladesh in future.¹² Attaching considerable 'strategic importance of

⁹ The Daily Star, August 29, 2009.

¹⁰ Karim, Aminul, *Journal of International Affairs*, vol.6, no.1-2, July -June,2000, p. 9.

¹¹ Nuruzzaman, Md., "National Security of Bangladesh: Challenges and Options" in Md. Abdul Mubeen and Muhammad Humayun Kabir, 2003. 25 Years of BISS: an Anthology, op. cit., p. 11.

¹² Alam, Jahangir, "Chittagong Hill Tracts, a treasure for Bangladesh," in *Bangladesh Quarterly*, July-September 2007, pp. 42-44.

the Chittagong Hill Tracts' to India, Partha Ghose has even questioned the wisdom of the Indian leaders at the time of partition for their failure to press for the merger of the Chittagong Hill Tract with India since the majority of its population was non-Muslim.¹³

Bangladesh is rich in some mineral resources- both proven and probable, although no concrete data is still available. Mineral deposits like gas, oil, hard rock, lignite, silica, sand, white clay and limestone have been found. The prospects of a huge reserve of natural resources will certainly add a few more feathers in the consideration of the great powers of this and other regions.¹⁴ There is no doubt that promising mineral resources of Bangladesh can be a vital factor to increase the geo-strategic realities of Bangladesh that will provide an option for Bangladesh to formulate its foreign policy with the various nations.

The Asian Highway (AH), an international network of 1,41,000 km of standard highways crisscrossing Asian countries with links to Europe, was conceived in 1959 by the United Nations Economic and Social Commission for Asia and the Pacific (UN-ESCAP) with the aim of promoting regional cooperation among the mainland countries of Asia. If Bangladesh becomes a part of this globalize network, it will get connected with the countries located both to the east and the west. It will also open up huge opportunities from the economic point of view as the AH will be providing shorter routes for movement of goods and passengers, leading to huge savings in transport costs. If Bangladesh is included in the network, donors and private sectors from across the globe would find Bangladesh an attractive place to invest in.¹⁵ In the context of geographical contiguity of the proposed cooperating states, the future opening of Asian Highway trade and other forms of economic cooperation is likely to be bright. So the proposed Asian Highway project is one of the important factors of developing land transport among the South and South East Asian countries. Bangladesh has assumed the importance of being middle point of the road between South and South

¹³ Ghosh, Partha S, "Cooperation and Conflict in South Asia", in Abul Kalam ed., 1996. Bangladesh Internal Dynamics and External Linkages, (Dhaka: The University Press Limited), p. 202.

¹⁴ Aahmed, Emajuddin, 2004. Political Essay on National and International Issue, op. cit, p. 173.

¹⁵ The Daily Star, June 19, 2009.

East Asia, which can play a vital role in increasing the geo-strategic importance of Bangladesh.¹⁶

It is pertinent to note the following to understand the role that Bangladesh plays in India's strategic dynamics. First, Bangladesh's location is a strategic wedge between mainland India and Northeastern seven states of the Indian Union. Each of these states is land-locked and has shorter route to the sea through Bangladesh. Currently, Calcutta port is used by these states for both domestic and imported cargo. Second, the navigable rivers in India's Northeast that could connect West Bengal or Orissa ports pass through Bangladesh. The only entry to and exit from the Northeastern region of India is through the Shiliguri Corridor that is close to the Chinese border and within striking distance of Bangladesh. The Shiliguri Corridor is the most sensitive 'choke point' for the Indian Union. Third, most of the Northeastern states of India are virtually under siege where decades old insurgencies are raging unabated, particularly in Assam, Tripura, and Nagaland. These states are yet to be fully integrated with the Indian Union. Fourth, Arunachal Pradesh, still disputed between China and India, is within close proximity of Bangladesh. Fifth, Bangladesh provides easy land access to Southeast Asian countries that are important for India's 'Look East Policy.'¹⁷

China has been constantly an important factor in Bangladesh's foreign policy since the establishment of diplomatic, military and economic ties in 1975. Since then the governments of Bangladesh of all political complexions have pursued similar Chinese policy. In this context, the growing linkage, connectivity and possible land connection enhances Bangladesh's regional geo-strategic status particularly for the following reasons: first, China enjoys access to the Bay of Bengal through Myanmar; second, Dhaka's proposal to connect Kunming with Bangladesh by road through Myanmar could be an alternative route for China; third, to the point of quest for natural resources China is known to have shown interest in Bangladesh's energy sector. This assumes significance in the context when both India and China are competitors in energy sector in terms of consumption and international investment.¹⁸

^{16.} Sanjay, Bhardwaj, "Bangladesh at 35: Internal Dynamics and External Linkages," in *Journal of International Affairs*, vol. 9, no.1-2, June and December 2005, Bangladesh Institute of Law and International Affairs, p. 49-50.

^{17.} http://www.thedailystar.net/supplements/2006/15thanniv/bangladesh&theworld/bd_world02.htm.

^{18.} Ibid.

For the foregoing appraisal of geopolitical and strategic realities of Bangladesh, it can be decided that as an important constituent part of making foreign policy, geopolitics can play a vital role for Bangladesh's foreign relations. Giving priority to geopolitical and strategic realities, Bangladesh can make her foreign relational with regional and great powers as well.

Bangladesh has already proved its strategic value to the great powers. Bangladesh's moderate voice in regional and international forums, its significant role in UN peacekeeping operations and the global war on terror, its success in poverty alleviation through its extensive micro credit programs and a growing economy, all have contributed positively in drawing the attention of great powers. Besides, the traumatic events of 9/11 once again compelled the US to become deeply involved in the South Asian region with explicit interests and a new geo-strategic vision. The eventual shift in US foreign policy has transformed the geopolitical environment of South Asia. The US effort to develop a strategic partnership with India, with the apparent intention of containing China's growing influence in the region, is another significant development in South Asian geopolitics. While the US-India strategic engagement has many other dimensions, it has complicated the regional security environment and demands a far-sighted geo-strategic policy and constructive engagement of US by Bangladesh and other South Asian nations.¹⁹

The policy option for Bangladesh:

Keeping in view Bangladesh's geopolitical standing, coupled with its poor economic, industrial and technological state, makes it difficult to work out viable geo-strategic options without prejudicing national interests. According to reputed geo-strategists, a usable way out lies in pursuing foreign policy and diplomacy while maintaining a minimum credible deterrence against any direct military threats to national sovereignty and territorial integrity. The simple logic of geography suggests that Bangladesh's security and development can not be pursued in isolation; rather, it has to be done in cooperation with its neighboring states and great powers like China, USA and other powers.²⁰

¹⁹ Rahman, Md. Shafiqur, "United States interests in South Asia and geo-strategic option for Bangladesh", in NDC Journal, A Professional Journal of National Defense College, vol.6, Number-1 June, 2007, p. 159.

²⁰ Ibid., p. 168.

The global power is clearly shifting towards Asia, while the strategic landscape in the region remains marked diversity of conflict. With phenomenal rise of China and India, the Indian Ocean will matter more as these key players enter into a great power- rivalry in these waters as the whole Indian Ocean sea-board, including Africa's eastern shores, becomes a vast web of energy trade. China and India are trying to make bilateral relations with the littoral states of Indian Ocean region. China has already made its bilateral relations with Pakistan, Srilanka and Myanmar for gaining military supremacy in the Indian Ocean region.²¹ Triggered by economic growth and strategic perception (shaped by the history and strategic culture) both China and India are investing in extensive military modernization and expansion. These are evidenced by their efforts to build up maritime strength with a view to attaining supremacy in the Indian Ocean. As a littoral state Bangladesh should take proper step to increase its power for gaining maritime supremacy in the Indian Ocean as well as Bay of Bengal. The measures that increase the geo-strategic importance of Bangladesh are as follows:

First, Bangladesh faces the Indian Ocean through the Bay of Bengal. For Bangladesh access to the oceans via Bay of Bengal is of utmost strategic importance. The recent development in Myanmar is a matter of concern for Bangladesh. The spat with Yangon in November 2008 over a rig placed by Myanmar for exploration purposes in territorial waters claimed by Bangladesh was a "wake up call" for Dhaka. The media has reported the Bangladesh navy as having a ten year plan to upgrade itself into a "three dimensional force", which is very logical. The Myanmar navy has grown enormously since 1988. Now it seeks blue water capability. Further mobilization is only a matter of time. In this context Bangladesh must seriously assess and develop its own maritime capability to match the reality. The rapidly evolving strategic scenario in the Indian Ocean region is something that Bangladesh should take into serious consideration. In Bangladesh, there is a surprising lack of research in maritime issues. We can not defend our national interest vis-a- vis maritime boundary and exploration of oceanic resources unless we know the ocean well.²²

²¹. The Daily Prothom Alo, 5 November 2009.

²². The Daily Star, August 29, 2009.

Second, due to asymmetry in size as well as economic and military power, India, no doubt, poses a significant threat to Bangladesh's physical security. At the same time, it presents enormous opportunities for us. Some of our neighbors are already taking advantage of India's strengths and reaping both economic and political benefits. Even Pakistan is making a deliberate effort to improve its relations with India. For this reason, given geopolitical realities, Bangladesh can not view its security and development aggressively or by seeking to isolate itself from India; rather, it has to pursue a path of cooperation with it. Therefore, Bangladesh should reach a national consensus and work out a long term strategy for engaging India.

Third, the growing US interests and involvement in the region makes it clear that a stable South Asia with booming economy is in the interest of US as well as the South Asian nations themselves. Due to impending interests, the US is eager to exert its influence in the region in the form of developing strategic and economic partnership with key South Asian nations. Most of our geo-strategists feel that gradual integration of US in South Asian geopolitics will create a favorable environment for the small countries of the region that are looking out for practical solutions to security issues. It will provide Bangladesh some space for maneuver and additional leverage to engage India and Myanmar in resolving bilateral security issues. In particular, it will help Bangladesh and other smaller nations overcome undesired Indian domination and other geo-strategic limitations. Bangladesh must take effective measures and maintain constant check against terrorism and the rise of religious fundamentalism. Bangladesh should also sincerely cooperate with the US whole-heartedly and become her effective ally in the global war on terror.²³

Fourth, in the South Asian geopolitical equation, Bangladesh's relationship with China provides it some leverage to escape Indian predominance. Hence, developing a close relationship with China is vital for the foreign policy interest of Bangladesh. As doorway to the Indian Ocean and India's turbulent north-eastern region, including the Indian state of Arunachal Pradesh to which China lays territorial claims, Bangladesh is also important for China. Keeping ties in view, security analysts feel that Bangladesh may benefit from the convergence of strategic and economic interests of a nuclear power like China. However,

23. Rahman, Md. Shafiqur, "United States interests in South Asia and geo-strategic option for Bangladesh", in NDC Journal, A Professional Journal of National Defense College, vol.6, op. cit., p. 167-72.

the complexities and sensitivities of regional geopolitics suggest that Bangladesh-China relations should be maintained without 'acceptable bounds' i.e. neither too warm, nor too cool, without raising any suspicion in our own immediate neighborhood.²⁴

Fifth, Myanmar shares a common boundary with Bangladesh of about 176 miles. This traditionally friendly neighbor has demonstrated its military preparedness in the recent past on the Rohingya refugee issue and may pose a military threat to Bangladesh in the not- too distant future. Myanmar's location provides it a strategic advantage, since it serves as a 'Land Bridge' between the sub- regions of South-east and South-Asia. Actions taken by the military regime there have twice led to the exodus of over quarter million minorities, known as Rohingyas, who live in the borders of Bangladesh. The brutality the enemy had faced was unveiled on 21 December 1991 when there was a sudden attack on the Rijipara border outpost of Bangladesh threatening its sovereignty. The hostile act of the Nasakas of Myanmar also indicates that Bangladesh faces threats from Myanmar as far as its national security is concerned.²⁵ It is crying need for Bangladesh to arbitrate the existing bilateral problems with Myanmar. It would help Bangladesh to make bilateral relations with Myanmar in general and strengthen her maritime supremacy in the sea without facing any hindrance.

With the limited geo-political and strategic realities and facing some internal problems like a small territory compared to the huge size of its population, landlessness of majority of people, massive unemployment, poverty, gender inequality, existence of orthodox Islamic conservative elements, and hardly any other natural resources except natural gas, there is no way for Bangladesh to avoid the foregoing options. If Bangladesh follows the above options, geopolitics would be an important constituent part that helps Bangladesh to make dynamic relationship with other states.

²⁴. Ruksana Kibria, "Strategic Implications of Bangladesh- China Relations", Article published in *The Daily Star*, 19 February 2006.

²⁵. Mohammad, Saber,s "National Security of Bangladesh: Challenges and Options" in *NDC Journal*, vol. 7, no. 1, June 2008, p. 10-11.

Conclusion:

In the light of the foregoing analysis it can be decided that geopolitics determines a country's status in world politics and conditions, policies of other nations, especially super powers, towards it. A significant aspect of the subcontinent's including Bangladesh's, physical location is sea frontage. Very few nations can overlook the significance of a border with oceans. If we look at the strategic situation of Bangladesh, the country stands between two emerging giants China and India and constitutes a bridge between South Asia and South East Asia. Besides, Bangladesh's position on a trade route between Europe and Far East via the Mediterranean, the Red Sea, the Indian Ocean and the Straits of Malacca provides favorable commercial connection with the rest of the world. The importance could be attached to the global air route. Besides, the enhanced importance of the Bay of Bengal and the perceived triangular contest for geo-political advantage there involving India, China and the USA made Bangladesh strategically important. In fine, it can be stated that as an important element of national power, geopolitics can provide Bangladesh an enormous opportunity to formulate a dynamic foreign policy with other states.

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