

Local Government in Bangladesh: A Review of Reform Efforts from 1972 to 2006

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Abstract

In spite of long historical background, constitutional obligation, inevitable requirement for participatory and sustainable development local government in Bangladesh could not develop accordingly. Of course, there are many fold reasons behind this failure. Comprehensive reform is still required for strengthening local government that suggests for the thorough evaluation of the efforts of the different reform committees/commissions including the policy prescriptions, implementation strategies, in their recommendations, corresponding changes as well as the problems and limitations faced by them in the local government. On this backdrop this essay would try to review the reform initiatives, reform perspective, recommendations and the implementation of the recommendations of the reform commissions/ committees from a comprehensive perspective. This article is trying to highlight the nature of membership in different reform commissions under various political regimes. In light of the interactive model of policy reform by Thomas and Grindle, it would try to see whether the political motive of the governance regime and the memberships of different commissions intervene to implement the reform policy.

Introduction

Local government plays significant role in institutionalizing politics in a democratic political system; making pro-people civil administration and conducting participatory development programmes throughout the world. Primarily it provides scope for the local people to engage in the local level politics and administration. Of course, these are influenced by the legal status and functional nature of local government. From a comprehensive perspective Siddiqui (2005) emphasizes that three distinct issues such as *local politics; local administration and local governance*

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are interlinked in local government system where 'local politics' act as host areas having some political characteristics like factionalism, political competition etc. operating within local area, 'local administration' involves in implementation of decisions by not only local government institutions but also national/ provincial/ state government units operating at the field level (Siddiqui, 2005: 3), and 'local governance' refers to application of various governance criteria such as accountability, transparency, decentralization, efficiency, financial integrity, participation, equity etc. in all the organizational efforts (Siddiqui, 2005: 3). Local government is widely known as local self-government, government with representative character mainly responsible for administering local affairs. The representative character of local government can only be met by devolutionary types of decentralization. The managerial needs of national government can be fulfilled by delegating authority to field officers. But threat will remain unless distinct cultural communities are not integrated with the management of field works of the government. This integration is a political process, which ensures participatory governance as well as representation of interest groups (Hyden, 1993). This local (self) government concept is in line with the devolutionary form of decentralization suggested by Mawhood (1985). Acknowledging Talcott Parson's "level of social control" and "value/goal" levels Mawhood identifies it as sharing of the governmental power by a central ruling group with other groups, each having authority within a specific area of the state. He prescribes that local government bodies should have their own budget, separate legal existence, authority to allocate substantial resources, specific functions and decisions making authority. It has been expecting that this reality and constitutional obligation would be given priority to the reform initiatives of local government. The initiatives were formally launched during all the political and non-political government. The committees' recommendations were placed before the policy actors. But it is observed that in most of the cases the recommendations were not implemented in full-fledged. The scholars as well as local government thinkers would like to say that there are some vested interest group who are so powerful and convincing that the ruling government could not implement the recommendations. Such intervention in implementing reform policy can better be analyzed by the policy reform model given by Grindle and Thomas (1990).

Methodology

In this paper content analysis method has been applied. All the Reform Committees/commissions' recommendations have brought into

consideration. The nature of political government and relevant literatures have examined in this regard.

All these issues also constitute the most basic characteristics of any effective local government system.

Constitutional Basis of Local Government in Bangladesh

Local government system with all these forementioned qualities need to be established in Bangladesh for political institution building as well as conducting participatory and sustainable development administration. The Constitution of the People's Republic of Bangladesh has provided the legal foundations of local government in the Article 59 and 60 and made provisions for the existence of representative local bodies in each administrative unit of the republic entrusted with some major functions including "a. administration and the works of public offices, b. the maintenance of public order, c. the preparation and implementation of plans relating to public services and economic development." (Article 59). "For the purpose of giving full effect to the provision of Article 59, Parliament shall by law confer powers on the local government bodies referred to in that article, including power to impose taxes of local purposes, to prepare their budgets and to maintain it." (Article 60). No doubt, the local government system in Bangladesh has been based on strong legal foundation protected by constitutional provision, but still it could not develop in institutionalized manner upholding the essential characteristics of local government for many reasons.

Present system of local government in Bangladesh

Following the forementioned evolutionary process different types of local government now exist in Bangladesh, such as in rural areas there are Union Parishad, Upazila Parishad and Zila Parishad and in urban areas there are city corporations and pourashavas. Besides these, for three hilly district i.e. Bandarban, Khagrachari and Rangamati there are special type of local government systems. Among these categories of local government; the rural local government constitutes the main stream of local government system of Bangladesh in terms of population, area and functional coverage. The present study also concentrates only in the study of this local government system. It is to mention here that except the union parishad no other tier of local government is representative in nature. There is people's representatives only at the central government i.e. the National Parliament and at the bottom level i.e. Union Parishad. In

between these there are two vital tiers local government units – Thana and District, which are not even theoretically representative in nature and practically are not functioning accordingly. But it is mandatory to have people's representation at every tiers of local government as per Article 59 and 60 of the Constitution. More than two decades ago the Upazila Parishad was introduced fully composed of local people's representatives at thana level. But it could not continue.

It is quite evident that local government system could not properly develop and function in Bangladesh inspite of its long journey since British colonial rule. But a densely populated and poverty prone country like Bangladesh requires participation to mobilize local resources, bring forefront the disadvantaged segments of the society and thus to ensure good governance. Participation is viewed as the exercise of people's power in thinking and acting and, thereby, realizing the essence of democracy in conformity with the constitutional dictum that all power belong to the people. These can be ensured through effective local government system.

Strengthening efforts of Local Government in Bangladesh

The government of Bangladesh also clearly realizes the need for such local government and initiates different reform moves by appointing different reform committees and commissions. These commissions and committees are:

- *Committee for Administrative Reform and Reorganizations (CARR)* headed by Rear Admiral M.A. Khan during Ershad Regime.
- *Local Government Structure Review Commission* headed by the then Information Minister Barrister Nazmul Huda; during 1991-1996 Khaleda Zia's Government.
- *The Local Government Commission* headed by the then Member of Parliament Advocate Rahmat Ali during 1996-2001 Sheikh Hasina's Government.

Significant changes were made during Ershad Regime at thana level. Following the recommendation of the CARR; the government formed Thana Parishad (TP) at each thana which were later termed as Upazila Parishad. The elected members of Upazila Parishad headed by an elected chairman entrusted the key responsibility of all policy matters of the Upazila. All the development activities of the central government were set at each Upazila and the officers of those offices were accountable to the elected chairman of the Upazila parishads. Moreover, all the sub-

divisions were upgraded into districts. These changes of local government were a good move to make a pro-people local government institutions in Bangladesh. The Upazila Parishad as a local government institution was made in line with the concept of "devolution" vis-a-vis "deconcentration" of decision making power into sharp focus. Devolution establishes reciprocal and mutually benefiting relationships between central and local government implying that the local governments are not subordinate administrative units but exclusive authorities in their areas to be able to interact reciprocally with other units of government in the political system of which they are integral parts. It was thought that such devolution would not only contribute to good governance through rational sharing of powers and responsibilities between the central government and the local government bodies, but also lead to greater success in the management of development programmes/ projects and better delivery of services through more efficient discharge of respective functions. Moreover, people's vote will be seen to be bearing fruits and democracy will be seen to be functioning at the door steps of the voters when they will witness that the representatives elected by them to the various tiers of local government are in fact contributing to the upliftment of their lot. Needless to say, such visibility is very vital for democratic culture to take desirably deep roots.

But it could not continue as soon as the BNP led government headed by Begum Khaleda Zia took over the state power in 1991. She formed a *Local Government Structure Review Commission* headed by the then Information Minister Barrister Nazmul Huda. Followed by the recommendation the government abolished Upazila parishad and formed two-tier local government system; *Gram Sarker* at village level and *Zila Parishad* at zila level. Though Zila Parishad was established and started working from Ershad regime. This was highly criticized by many quarters. It stopped a journey towards a real participatory local government system which was established at thana level. Though the Upazila parishad has had criticism, but it is believed that if the system could run for a long period of time, its limitations could be overcome. The experts opined that abolition of Upazila system was absolutely political.

In 1996 the Awami League Government set a Local Government Commission. The Commission proposed a four-tier local government institutions at the village, union, upazila and zilla level. These institutions

will be known as Gram Parishad (GP), Union Parishad (UP), Upazila Parishad (UzP) and Zilla Parishad (ZP) respectively. GPs will be established in each of the 9 wards of every union of the country, while UzPs and ZPs will be also established respectively in every upazila and zilla of the country; except that in the three zillas of the hill-tracts area where existing ZPs will, subject to some modifications following signing of the Peace Agreement for the hill tracts, continue to function. In fulfilling the commitment of the democratically elected government, each of the local level institutions will have well-defined and extended functions to carry out. The gram parishads will keep the union parishads posted about their functions and problems. The local government institutions at other three levels will be entrusted with similar functions at varying levels of responsibilities and authorities, including the authority to raise resources for financing local level development activities.

But after the recommendation was placed; only the Union Parishad (UP) has been reorganized and election was conducted under the new system. No other level's recommendations have yet been implemented. Not to implement the recommendations of this Local Government Reform Commission have created a barrier to establish a participatory governance in Bangladesh.

In 2001 BNP led four party alliance formed government headed by Khaleda Zia. This government revived Upazila parishad and again formed gram sarker. During its five years tenure this government could not conduct election of Upazila Parishad.

Review of the Efforts

Most of the committees gave emphasis on institutionalizing local government system. But still the local government system could not emerge in Bangladesh as democratic and stable institutions. Evolution of decentralization in Bangladesh is characterized by: (a) domination by and complete dependence on central/national government; (b) unrepresentative character; (c) grossly inadequate mobilization of local resources; (d) limited or lack of participation of the rural poor in the decentralized bodies; (e) successive regimes' marginal and superficial commitment to devolution or decentralization in practice (Ahmed and Khan, 2000). All these realities create an objective situation to study the recommendations of different reform committees/ commissions and the changes made in the local government following the recommendations with a view to establishing effective local government. If we look at the

structure of the committees (Annex 1), we would find that the chairmen and members of the committees are members politically biased. They could hardly propose such policy reform which is not expected by the head of the government or state. The CARR is fully dominated by the civil and military bureaucrats. They could bring a very good changes like Upazila Parishad. Though it had political ill motive. During Khaleda regime Upazila Parishad was abolished and one of the significant causes were getting bureaucrats blessing. And it is seen that about half of the members of *Local Government Structure Review Commission*

was civil servants. *The Local Government Commission* formed during Hasina regime in 1996 was also dominated by the civil servants in number. There are belief that the either in political or in non-political regime the local government reform could not be made participatory and thus strong because of the intervention of civil servants.

Local government cannot be strong enough in a country like Bangladesh where the local government ministry is too strong and intends to control it. The interference by lawmakers also diminishes the power of the local government representatives and the local government institutions act like a front organization of the ruling party.[†]

The central government also exercises substantial financial and administrative control over the local government institutions in different ways (Panday (2005)). Local government bodies have been chronically resource poor in Bangladesh. The LG regulations empowered them to mobilize resources from local sources through assessment and levy of taxes, leasing of local Hats and Bazaars, water bodies, etc. But they do not receive the total resources generated from their entitled sources.

The local government has had poor Institutional capacity. Siddiqui (2005) wrote about the problems of local government in Bangladesh as domination by and complete dependence on the national government, highly inadequate mobilization of local resources, a serious mismatch between formal local government functions, on the one hand, and the means of carrying out the same (in terms of financial and human resources) on the other, almost total exclusion of and lack of participation

[†] Khan & Aminuzzaman, *quoted in the editorial of the Daily Independent (6-8-2006) referring opinion of the participants of an workshop organized by Bangladesh Centre for Communications Programme (BCCP) on 'The role of media in strengthening local government', in association with Democratic Local Governance Programme (DLGP), the USAID and RTI International in 2006.*

in local government bodies by the poor, and token representation of women, marginal commitment to devolution /decentralization in practice, not only in relation to the national government vis-à-vis local government but also within the local government bodies themselves (for example between the Mayor and the Ward commissioner, “presidential” type of local government continuing under a parliamentary democratic central government, which is a serious anomaly, the advocacy by the so –called civil society for genuine decentralized local government is ineffectual, and hence no “big bang” approach to local government reforms is possible in the foreseeable future, no significant improvement has taken place in the personnel system of the local government bodies during the last five decades, and hence permanent local government functionaries continue to be a highly marginalized group of public servants. These could be better interpreted by the *Interactive Model of Policy Reform*.

Reviewing the reform efforts from theoretical perspective

The Interactive Model of Policy Reform

The main concern of the interactive model is the role of the stakeholder of the existing or revised policy. Whether the stakeholders accept or reject the policy reform. What is the impression of the parties involved in the existing policy or change of the new policy? At what level the parties’ involved can interact into the change as well as implementation process of the policy? This paper is primarily concerned about the factors those have influenced not to implement the Recommendations made by different Commissions/Committees worked in different regime. This model will provide important input to analyze it.

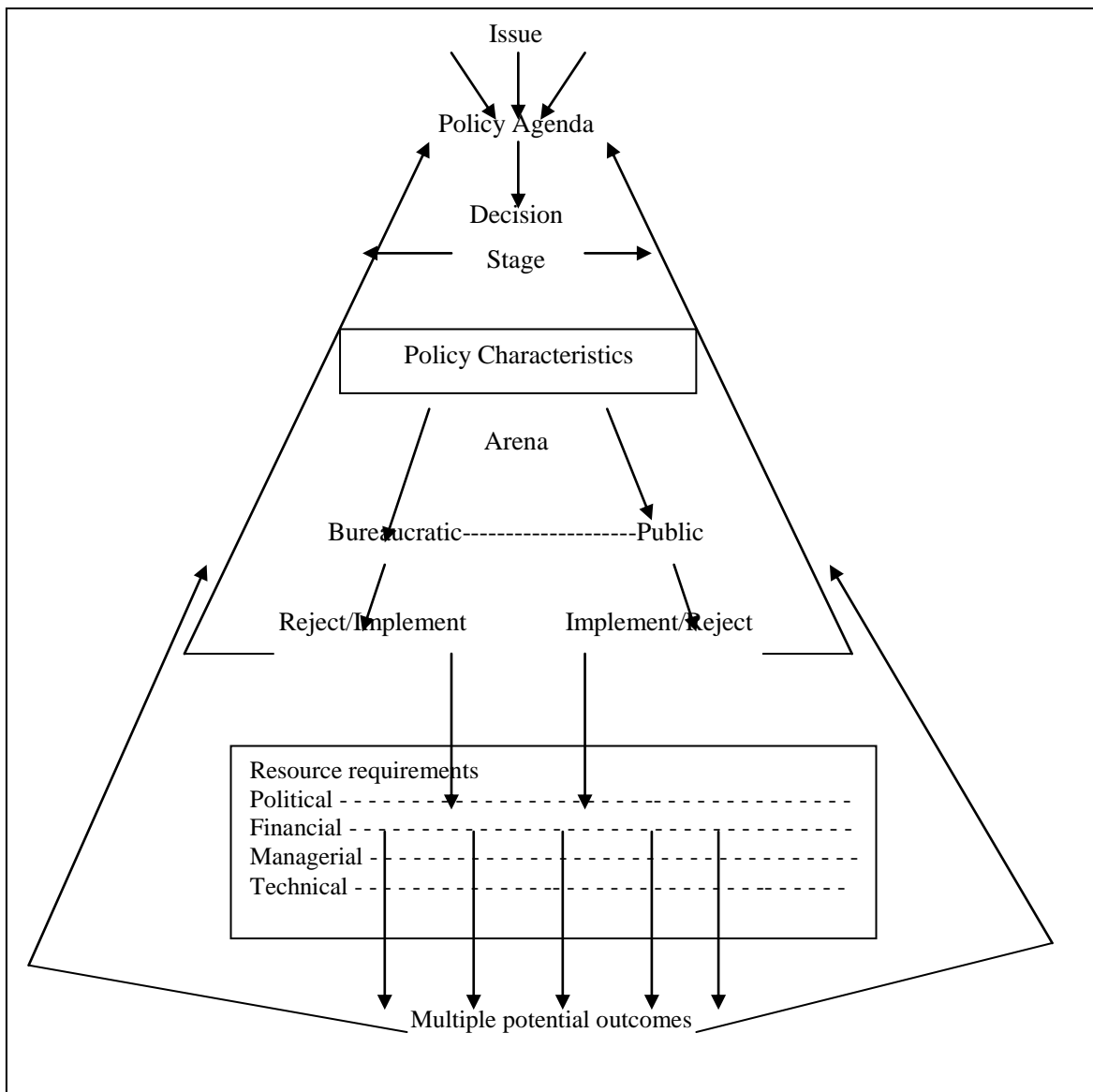
Thomas & Grindle (1990:1166) writes

‘We begin with the assumption that a state of equilibrium surrounds an established policy set. This equilibrium results from the acceptance of the existing policy or institutional arrangements by those who are affected – positively or negatively – by them. Efforts to alter existing policy upset that equilibrium and will elicit some response or reaction from those affected by the change. Reaction to policy change may come at any point in the process of decision or implementation. However, reactions are more than likely to occur further into the process since the effects of the change will become more visible as the nature and the impact of the new policy become more evident. The nature, intensity, and location of those reactions will determine whether the reform is implemented and sustained.

The central element in the model is that a policy reform initiative may be altered or reserved at any stage in its life cycle by the pressures and reactions of those who oppose it.”

In policy reform process the interested parties can exert pressure for change at many points. Some interests may be highly effective to influence the policy. Some one can influence the high – level officials in government or other actors in policy or policy implementation level. There are actors or resources affecting the managers of the implementation process or those who control the resources needed for implementation. Attempt to alter, promote or reserve policy reform initiatives depends on the strength, location and the stake involved.

The interactive model of policy implementation is shown:



There are factors which have influenced to set policy agenda amongst from a number of issues. The agenda is very loud and clear i.e. reforming local government. Then there are some stages of the decision like, how the commission will be formed, what would be their terms of references, when and to whom to submit the report etc. All these characterize the policy which has had both bureaucratic as well as public arena. Then the question comes to implement the recommendations made by the commission. Whether the recommendations are implemented or rejected or kept in shelve. The fact is that the recommendations made by the Local Government Reform Commissions have not been implemented significantly. According to the model there are some resources which availability contributes to implementing the policy of reforming local government and which unavailability causes not to implement the policy. The resources are political, financial, managerial and technical. Guided by this model we can justify the much talked reasons of paralyzing the local government institutions. It is said in intellectual arena and the common people perceive that lack of political good intention as well as unwillingness to implement the reform agenda are one of the main reasons of keeping local government weak in Bangladesh. Even though there are potential outcomes from the recommendations made by different commissions/ committees, lack of resources, technical expertise and managerial incapability are seen responsible have a strong local government institutions in Bangladesh.

Conclusion

It is believed that a real participatory local government system is pre-conditions for good governance. Eradicating poverty, strengthening decision-making ability of the local people, utilizing as well as mobilizing local resources is effectively possible to ensure a participatory local government at each tier of the local level administration. Acknowledging this fact all the political governments in Bangladesh set different reform commissions. But the recommendations prepared by those commissions were not implemented as of the recommendations they gave. The reasons urgently needed to find out. Identifying the reasons would help policy makers to overcome the barriers in future and to establish a needful local government system in Bangladesh and thus to ensure good governance.

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Committees and Commissions formed to reform local government in Bangladesh

<i>Title of the Committee/Commission</i>	<i>Structure of the Committees/Commissions</i>	<i>Background of Chairman/Members</i>
<p><u>1st Committee</u></p> <p><i>Committee for Administrative Reform and Reorganizations (CARR)</i></p> <p><u>Comm. Formed</u></p> <p>April 28, 1982, General Ershad Regime</p> <p><u>Report Submitted</u></p> <p>June 22, 1982</p> <p>The Report is finalized in less than two (02) months.</p>	<p><i>Chairman</i></p> <p>Rear Admiral M.A. Khan, DCMLA and Chief of Naval Staff</p> <p><i>Members</i></p> <ol style="list-style-type: none"> 1. Mr. A.Z.M. Obaidullah Khan – Minister in Charge of Agriculture, (a) 2. Mr. M.M. Zaman – Secretary, Cabinet Division, (b) 3. Brigadier Mahmudul Hasan – Director, Military Operation, Army Headquarters, (c) 4. Dr. M. Anisuzzaman – Professor of Public Administration, CU, (d) 5. Dr. Shaikh Maqsood Ali – DG, NIPA, (b) 6. Dr. A.M.M. Shawkat Ali – Member-Director, BADC (Acted as Member – Secretary of the Committee), (b) 7. Mr. Obaidul Huq – Editor, The Bangladesh Observer (Co-opted member), (e) 8. Mr. S..M. Al-Hussainy – Member, Planning Commission (Co-opted member), (b) <p>Mr. M.A. Samad – Director of Agriculture (Co-opted member) (b)</p>	<p>Chairman – Army Officer</p> <p>Members</p> <ol style="list-style-type: none"> a. Civil Politician 01(10%) b. Civil Servant 05 (50%) c. Army Officer 01(20%) d. Academics 01(10%) e. Media Person 01(10%) <p>Note: % is calculated considering the chairman as member of the committee.</p>
<p><u>2nd Committee</u></p> <p><i>Local Government Structure Review Commission</i></p> <p><u>Comm. Formed</u></p> <p>November 25, 1991</p>	<p><i>Chairman</i></p> <p>Barrister Nazmul Huda, Information Minister, GOB.</p> <p><i>Members</i></p> <ol style="list-style-type: none"> 1. Md. Kabir Hossain – State Minister, Ministry of Land, GOB, (a) 2. Abdul Hye – Deputy Minister, 	<p>Politician, Members</p> <ol style="list-style-type: none"> a. Civil Politician 04(25%) b. Civil Servant 07(44%) d. Army Officer 00(00%)

<i>Title of the Committee/Commission</i>	<i>Structure of the Committees/Commissions</i>	<i>Background of Chairman/Members</i>
<p>Begum Khaleda Zia led BNP</p> <p><u>Report Submitted</u></p> <p>July 30, 1992</p> <p>The Report is finalized in eight (08) months.</p>	<p>Ministry of LGRD, (a)</p> <p>3. Dr. Abdul Moeen Khan – MP from Narsingdi-2 (a)</p> <p>4. A.T.M. Alamgir – MP from Colilla-10 (a)</p> <p>5. Cabinet Secretary, Bangladesh Secretariat, (b)</p> <p>6. Dr. Shaikh Maqsood Ali – Member, Planning Commission, (b)</p> <p>7. Mr. S..M. Al-Hussainy – Former Member, BPSC,</p> <p>8. Secretary, Statistics Division,(b)</p> <p>9. Dr. Emazuddin Ahmed – Professor, Department of Political Science, DU, (d)</p> <p>10. Dr. Lutful Huq Choudhury - Professor, Department of Public Administration, DU, (d)</p> <p>11. Dr. Amirul Islam Choudhury, Professor, Department of Economics, JU, (d)</p> <p>12. Dr. Ali Ahmed – Former MDS, BPATC (b)</p> <p>13. Mr. Waliul Islam – Former Commissioner, Dhaka Division, (b)</p> <p>14. Dr. Kamaluddin Siddiqui – Secretary, Prime Minister’s Office (b)</p> <p>15. L.R. Bhuiyan – Join Secretary, LG Division as Member Secretary. (b)</p>	<p>d. Academics 03(19%)</p> <p>e. Media Person 00(00%)</p> <p>Note: % is calculated considering the chairman as member of the committee.</p>
<p><u>3rd Committee</u></p> <p><i>The Local Government Commission</i></p> <p><u>Comm. Formed</u></p> <p>1st September</p>	<p><i>Chairman</i></p> <p>Advocate Rahmat Ali</p> <p><i>Members</i></p> <p>1. Mr. Suranjeet Sen Gupta – MP, (a)</p> <p>2. Advocate Fazle Rabbi – MP(a)</p> <p>3. Kazi Azhar Ali – Former Secretary to the GOB, (b)</p>	<p>Chairman – Civil Politician Members</p> <p>a. Civil Politician 02(25%)</p> <p>b. Civil Servant 03(38%)</p> <p>e. Army Officer 00(00%)</p>

Local Government in Bangladesh

<i>Title of the Committee/Commission</i>	<i>Structure of the Committees/Commissions</i>	<i>Background of Chairman/Members</i>
<p>1996 Sheikh Hasina Led Awami League</p> <p><u>Report Submitted</u></p> <p>May, 1997</p> <p>The Report is finalized in nine (09) months.</p>	<p>4. A.T.M. Shamsul Huq – Former Secretary to the GOB, (b)</p> <p>5. Begum Taherunnessa Abdullah – Chairman, Shishu Academy,</p> <p>6. Dr. B.K. Jahangi – Pro-ViceChancellor, NU. (d)</p> <p>7. A.H.M. Abdul Hye – Secretary, LG Division, GOB. (b)</p>	<p>d. Academics 01(13%)</p> <p>e. Media Person 00(00%)</p> <p>Note: % is calculated considering the chairman as member of the committee.</p>
<p><u>4th Committee</u></p> <p><i>The Committee for making dynamic and strong Local Government</i></p> <p><u>Comm. Formed</u></p> <p>June 03, 2007</p> <p><u>Report Submitted</u></p> <p>November 01, 2007</p> <p>The Report is finalized in 05 months.</p>	<p><i>Chairman</i> Dr. A.M.M. Shawkat Ali</p> <p><i>Members</i></p> <p>1. Dr. Syed Giasuddin Ahmed – Professor, Department of Public Administration, DU,</p> <p>2. Dr. Badiul Alam Majumder – Secretary, SHUJON</p> <p>3. Dr. Dilara Chowdhury - Professor, Department of Government & Politics , JU,</p> <p>4. Advocate Md. Ajmat Ullah Khan – President, Association of Bangladesh Pourava,</p> <p>5. Mir Enayet Hossain Munshi – President, Association of Bangladesh Union Parishad,</p> <p>6. Mizanur Rahman – Joint Secretary (Development), Local Government Division.</p>	<p>Chairman – Civil Servant</p> <p>Members</p> <p>a. Civil Politician 00(00%)</p> <p>b. Civil Servant 02(29%)</p> <p>f. Army Officer 00(00%)</p> <p>d. Academics 02(29%)</p> <p>e. Media Person 00(00%)</p> <p>f. People’s Rpr. 02(29%)</p> <p>g. NGO Repr. 01(14%)</p> <p>Note: % is calculated considering the chairman as member of the committee.</p>