

# Minorities in the civil service

MD. REZAUL KARIM

THE Bangladesh Civil Service examination (BCS) conducted by the Bangladesh Public Service Commission (PSC) is the gateway for entry into the civil service of the republic. The BCS exam is one of the most prestigious and competitive public service examinations in Bangladesh.

PSC has got legal mandate for conducting the BCS examination. Access to civil service is a fundamental right of all citizens, irrespective of sex, religion and ethnicity, region, etc. The Constitution does not prevent the state from making any special provision in favour of the minorities for the purpose of securing their adequate representation in the service of the Republic.

Accordingly, through gazette notifications (1972, 1976, 1985 and 1997), the government reserved the right of the representation of minorities. Today, all first and second class civil service jobs are distributed into five quotas, i.e., merit (45%), freedom fighter (30%), district (10%), women (10%), and tribal (5%) population. Under Article 140 of the Constitution, the PSC has got the mandate to select competent persons through the BCS examination.

### Constitutional dilemma

It is a fact that for fulfilling the political interest of the government, Islam and Bangla have been declared as the state religion and state language, respectively. Accordingly, the Constitution has not primarily

recognised the diversity of the population in terms of language, religion and ethnicity.

Past governments did not take any initiative to re-established secularism as one fundamental characteristics of our state because they feared that they would lose the support of the Muslim majority population. The use of religious and ethnic sentiments by the leading two political parties has, in fact, endangered the rights of the minorities to a great extent.

### No public document on minority since 1972

Since 1972, the PSC and Ministry of Establishment have not published any information on the trend of representation of minorities in the civil service, but there is no valid justification for this. As a result, the successful BCS cadres, policy makers, and general citizens of the country have been in the dark about the trend of the representation of minorities in the civil service.

In this situation, a total of 20 gazette notifications on the new appointments to the BCS cadre (published by the Ministry of Establishment) were gathered. The rest were not collected due to lack of cooperation from the PSC and concerned Ministry.

However, the recruited BCS cadres included in the gazettes were divided into two broad categories i.e., Muslims and minorities (comprised of other religions and tribal communities). Due to lack of specific information on the identity of the tribal community, they were counted under the second cate-

gory.

### Findings

A total of 29,667 persons got BCS job through 20 BCS examinations. Among them, a total of 3,164 persons (10.67%) represented the minority population. The highest and lowest ever percentage of representation from minorities were observed in the 19th (16.09%) and 12th BCS (2.63%) examinations, respectively.

The finding also shows that only one person from the minorities got BCS in 12th BCS examination (Special BCS on Police Cadre). The 12th BCS exam was held in 1992, and a total of only 38 police cadres were recruited through this exam. This particular exam is considered as one of the most politicized and controversial exams.

The representation of minorities in the general cadres (administration, police, foreign affairs, customs and excise, audit and accounts, taxation, postal etc.) fell sharply from 10th BCS and continued till 12th BCS exam. The general cadres are seen as the most powerful and prestigious cadres in Bangladesh Civil Service.

The representation of minorities was found almost consistent from the 5th to 10th BCS examinations, but sharply decreased from the 11th. From 16th, the representation of minority communities again began to increase, and continued till the 19th. The lowest ever representation of minorities in the professional cadre was observed in the 26th (5.35%), followed by the

15th (6.01%) and the 24th (7.67%). Representation of the minorities again began to decrease from 20th, and continued till the 26th.

### Minorities in the civil service by regime

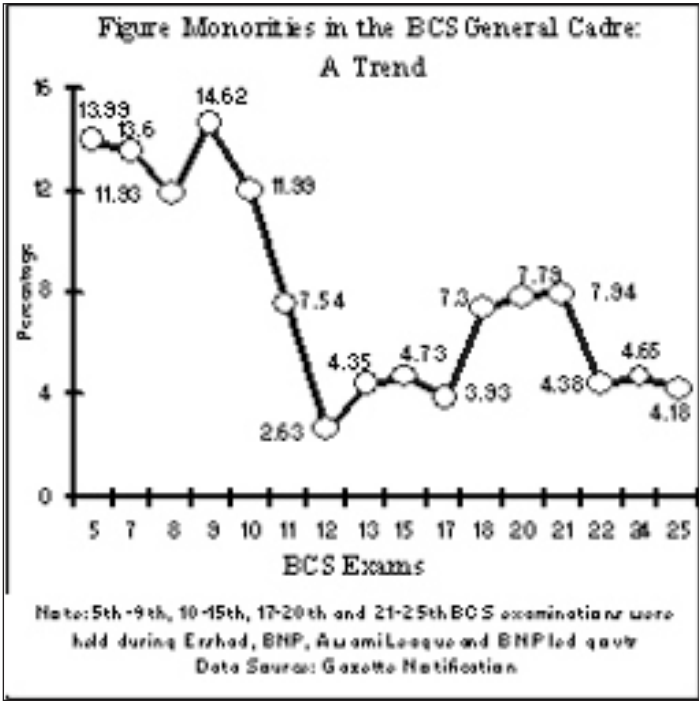
The outstanding finding is that the representation of the minority communities in the general cadre of BCS job was noticeably higher in the Ershad regime (13.22%) than that of BNP (5.05%), and Awami League (6.34%) regimes.

In case of professional cadres, no remarkable difference was observed. The findings also indicate that in examinations held during BNP and Awami League governments, minorities representation in the general cadre was not proportionate to their population (10.3%).

### Discrimination by PSC members

PSC members, high officials and BCS examinees have said that unpleasant behaviour with minority candidates, and giving poor marks in the viva voce were the most common incidents during 22nd to 27th BCS exams. A member who resigned from the PSC in 2005 was controversial because of his preference for the Muslim examinees, and for being negligent towards Hindu candidates.

This member used to ask all examinees religious questions in the BCS viva voce. Accordingly, Muslim examinees had to face questions from the Holy Quran. The candidates had to face penalty (i.e. poor marks) if they failed to give satisfactory answers.



Another member, a former civil servant, feared by the examinees because of his offensive behaviour, used to throw certificates on the face of the examinees during viva voce, and disliked the minority examinees. According to a former member, a Hindu examinee stood first in the written test of 22nd BCS examination, but finally this candidate was dropped from the merit list because he failed to get pass marks in the viva voce.

In order to understand the discriminations and irregularities in the BCS examinations, especially since 1991, the written and viva voce marks of the minority examinees who failed may be compared with the successful Muslims examinees.

From PSC members, examinees, externals, and BCS examinees, it is learnt that a number of members of the Commission were not only mentally unfit for the position of member in PSC but were also antagonist towards the minorities. But none of them ever faced any disciplinary action. One of them (retired from PSC) recently got an appointment in an important position of a public bank in Bangladesh.

### Policy recommendations

- Appointment of persons, as chairman and members of PSC, with track record of non-communal attitude and behaviour, proven integrity and professional commitment.

ment, knowledge and experience of public administration must be ensured. Necessary legal mandate should be made in this regard.

- At least one competent member from religious or ethnic minorities should be appointed. At this moment the present government can do this easily.
- The root causes for the declining number of minorities in BCS general cadre should be explored by an effective inquiry committee.
- The existing quota system should be revised immediately, and emphasis should be given on merit. At least 10% 1st and 2nd class civil service posts may be reserved for the competent minorities.
- The minorities are mainly discriminated in viva voce. A transparent and credible guideline/manual for viva voce should be published immediately, and made available to all. The external and internal members and chairmen of all viva boards should be persons having track record of non-communal attitude, integrity and professional commitment.
- The whole recruitment system should be made equitable, credible, and transparent to all job seekers. The marks of all examinees, and quota of all successful BCS examinees, should be made public through web site and result sheets. Restrictions against challenging the result declared by PSC should be

abolished immediately.

- Absence of effective accountability measures is one of the fundamental root causes of discrimination against the minorities in BCS exams. Hence, the chairman, members, officials and staff of PSC should be brought under a specific, effective, and transparent accountability system. PSC should also be made accountable to the Parliamentary Standing Committee or the Ministry of Establishment.
- Removal of corrupt member(s) and chairman is not a sustainable measure. The ACC should investigate all sorts of corruption committed in the past in the PSC. It must also ensure punishment of culprits.
- In order to identify the root causes of the declining trend of representation of minorities in the civil service, one or more diagnostic study (ies) may be carried out by the concerned authorities.
- There should be a complaint box, anti-corruption hotline, code of ethics, citizen's charter and ombudsman for the PSC. These initiatives will certainly enhance the credibility of PSC.

It is the best time to create a level playing field for all citizens of Bangladesh, irrespective of religion, sex, ethnicity and region. The above recommendations may be considered with due emphasis in this regard.

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# Remand, reform or retire

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AT this time, the politicians of the two major political parties of Bangladesh have one of three options available to them. They could be taken into remand if they resist reform that specifically envisages the departure of the top leadership of the parties; those who are in favour of reform that squarely places all the blame for the ills that have befallen the nation on the top leadership of the parties are considered the sanctified sons of the soil, who want to bid a permanent good-bye to their top leaders; they are left untouched and peacefully enjoy their loot accumulated over the years if they bid good-bye to politics.

Out of the six mayors of our big cities, four are behind bars. Two of them belong to AL, and, given the options, probably would not blame their top leader for the ills of the party. Of two mayors who are enjoying heydays, although stories of their unbridled corruption captured the headlines in the media, one of them has already called it a day while the other has publicly demanded that his party leader and her family members should be tried for the wrongdoings, as if the mayor was ignorant about it, although he was elected through her support and blessings.

Over the past few weeks the

stories of confessions of a number of politicians have captured the headlines of even some of the responsible media, defying even the minimum ethics and practices that forbid publication of such confessions since they were made under duress. Even a renowned legal expert took those stories into cognizance and made his conclusions. The editor of a popular Bangla daily went as far as writing obituaries for the two ladies, based on the stories of so-called confessions. Amazingly, the charges that have been so far laid against them have no relevance to the stories circulated, in different versions, in the media.

A few of the politicians who have been taken into custody without any prior legal suit or charge against them have been taken on remand, and humiliating stories were circulated, in some cases with CD, without giving them an opportunity to make any rebuttal. This is a gross violation of human rights and flagrant departure from the road to establishing rule of law. I had not seen any story of their corruption appearing in any news media while they were in government or in opposition. They played a vital role in galvanizing the opposition movement to resist the January 22 election, which created the ground for the declaration of emergency and the birth of the current CTG.

It is indeed ironic that the person whose betrayal of the nation is analogous only to the historical deception by Yahya, has turned out to be the big "reformer," while the persons who negotiated in good faith to arrive at a settlement of their reform agenda, in tune with the wishes of the people, are in the custody of the authorities who are implementing the very reforms.

BNP reformers have already publicly announced their 15-point reform proposals. They sound quite democratic, and could be viewed as revolutionary since the existing BNP constitution does not have an iota of democracy in it. All the powers are vested in a single person. This is, by no means, a new discovery. Nevertheless, many of today's reformists had been faithfully serving Her Majesty even after she made the identity of her heir-apparent crystal clear a few years ago by appointing her son as the senior joint secretary general of the party, notwithstanding that no such portfolio exists in BNP's constitution. No one protested her devious and multi-faceted plans to rig the derailed general election.

The most noteworthy aspect of their proposed reform is limiting the term of the chairpersons. There is nothing wrong if the party supporters want it. But the objectivity of the proposal has given rise to criticism, since the amendments are to be made retroactively

effective. There was no council meeting of the party for the last 14 years. Is the party chairperson the only one responsible for this? The party SG, as the organizing chief of the party, has to bear at least as much responsibility, if not more. Over the last few days, through the courtesy of satellite TV, audiences all over the world were able to see the palatial house of the party SG transformed into a Mecca for BNP politicians.

They included many former MPs and ministers, whose stories of wanton corruption filled the pages of the media before and after "one eleven." So what, they are now reformist! No matter how democratic the proposed reform proposals might appear, democracy demands that they must be discussed and passed in the party's national council held in a free atmosphere. However, with the rope of remand hanging around their necks, how many of them have the strength of personal honesty, and loyalty to the current leadership, to vote against the reforms, if the meeting of the national council is held under special permission from the government?

The Jatiyo Party chief has already passed the mantle over to Anisul Islam Mahmud and is opting for a "retired" life, presumably in exchange for all the cases of corruption hanging over him for years

going into dormancy for good. As the only convicted former chief executive of the state, this decision was long over-due. However, how the party will fare without the favourite son of the region, the party's sole bastion of support at the helm, is yet to be seen.

AL's reform proposals have been made public by a presidium member, the main emphasis of which is to initiate joint leadership in making major decisions for the party. AL's constitution has been the most democratic among the major parties, practiced or not, albeit there is always room for its expansion. Unlike BNP, its presidium members are either "older brother or sister" or "uncle or auntie" of the party chief. She is no "madam" to anyone. Considering this, why didn't the presidium members admonish the party chief before, or censure her after, she made a unilateral policy decision? Was any "dictatorial" decision by her ever been challenged or discussed in the highest decision making body of the party?

Recently, there was media frenzy about a presidium member who most of the AL sympathizers believe is a big liability for the party. How can a person who cannot even get elected from his own constituency remain a member of the presidium, let alone contemplate leading the party? Amu is no Mannan Bhuiyan, and

BNP, a conglomerate of people without any sort of ideology, is no AL. By the same token, Sheikh Hasina is not a "madam" to her party faithful; they can easily feel allegiance to her emotions. Frequent public outbursts of her Bengali emotions, and her modest lifestyle place her in the cluster of commoners. Beggars or barons alike have easy access to her. She may not be the most prudent leader the party could have, but she is a sister, a mother, and a daughter to millions of her party workers and well wishers, and I do not foresee anyone dethroning her in a free party council, if she does not voluntarily relinquish her post.

If it ever happens for whatever reason, I am afraid that so far as the AL is concerned she would be in a position one day, when fundamental rights of the people are restored, to imitate Mahatma Gandhi when he retorted that "India is with me" to Lord Mountbatten's observation that "the Congress is not with you Mr. Gandhi." People are the ultimate arbiters in repudiating or rehabilitating a politician. Power of emergency, of course, can do either of them, albeit only transiently.

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# Restricted political activity perplexing

A.B.M.S.ZAHUR

ONLY a short time ago, there was almost a clear indication that emergency would be lifted to allow open political activity by July 2007, but the prospect is dimming with the passage of time. The EC approached the CTG to lift emergency for starting the job relating to political reform in consultation with the political parties.

Even the EU and the US want lifting of the emergency quickly so that political activities can be started and election can be held on time, i.e by the end of 2008. We are unhappy to note that the CTG has failed to realize the importance of allowing political activities at this stage.

Even military dictators like Zia and Ershad had to go for establishing political parties (strictly speaking, factions) only to save themselves from the pressure of defunct political parties. Zia was so desperate that he had to compromise with people strongly opposed to independence of Bangladesh, though he was a valiant freedom fighter. Ershad did a little better, though he copied the party manifesto of BNP.

He established BNP by weakening the major parties like BNP and AL. He offered various temptations to some senior politicians. Many of such politicians responded positively to his offer. Even some left-leaning parties joined him.

Zia used to say that he would make politics tough in Bangladesh. His inadequate understanding of politics cost him his life. Ershad understood politics much better than many military dictators of the world. Thus, he has been able to not only keep himself alive, but also to attract both the major parties, i.e. BNP and AL. It is learnt that for the sake of keeping the party intact he would relinquish the position of chairman. In fact, he has suggested that Barrister Anisul Islam Mahmud be the acting chairman of BNP.

BNP is in serious trouble. Some of its prominent leaders have already left the party. These leaders are about to set up at least two parties, one led by Dr. Buddroddoza and the other by Col.(Rtd) Oli Ahmed. Another party to be constituted by a BNP defector (Mr Qureshi) may apply for registration soon. If no compromise can be

reached between the Khaleda and Mannan groups, there may be another couple of parties.

Things appear to be a little better in the AL camp. However, it is almost certain that Sheikh Hasina will face strong challenge from the reformists for the first time. Only the council meeting can decide the reform issues.

Though we do not hear much about the activities of JI, it can be assumed that because of BNP's disaster and the gradual revelation of the activities of the militants in the Islami camp, JI will not be able to attain prominence in the next election.

We are not very enthusiastic about the formation of new political parties (3 to 4) because we know that the voters are divided mainly into two camps, BNP and AL. Without the support of these two parties, it can be assumed that the new parties may not play a significant role in the election.

As we are given to understand, two advisers are opposed to early lifting of the ban on politics because of their apprehension that the law and order situation might deteriorate. They, however, are not opposed to council meetings of the parties.

Strangely enough, council meetings are major activities for political parties. Furthermore, the EC is ready to hold formal or informal meetings with political parties. So far, the response from the parties has been negative.

Nothing short of free political discussions can solve the various problems relating to reform. Let us show the CTG that Bangladeshis are politically highly conscious, and freedom loving.

We hope that our CTG, which has attained so much in such a short time, will not disappoint us in fulfilling our aspiration for a free, fair and credible election.

Let the CTG and EC be more specific about the time for starting of political activities. There is no scope for controlled democracy in Bangladesh. Our people are different from the people of Myanmar or Pakistan. Things must not be allowed to go out of the control of the CTG due to dilly-dallying.

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# The not-Blair project

STRYKER MCGUIRE

ONE day into his new job as Britain's prime minister, Gordon Brown put together a new government that sent out a clear message: I'm not Tony Blair, but I'm a unitar, not a divider. He had promised a government of "all the talents," and now he was making good on his pledge to keep peace in the Labour Party family and not return to the days -- indeed, years -- when Blairites and Brownites were at each others' throats.

Brown's first two cabinet appointments made the point plainly. Brown named Alastair Darling, a longtime ally in politics and at the Treasury, to his own old job, Chancellor of the Exchequer. Then, in one of his more headline-grabbing moves, Brown gave the post of foreign secretary to David Miliband, perhaps the most politically prominent young ally of the outgoing PM.

In recent months, the "anybody



but Brown" cadre of Blair supporters sought to persuade Miliband to challenge Brown for the leadership of the Labour Party. Miliband didn't buy into the proto-coup, and he's now been rewarded for his steadfastness, becoming, at 41, the youngest foreign secretary in 30 years.

From the moment he was "invited" by the Queen to form a government on Wednesday, Brown sought to put his own stamp on the

new government without adopting a scorched-earth policy toward Blair's acolytes. Brown was determinedly inclusive and non-histrionic.

He didn't have to attack Blairism or the party that Blair rebuilt and rechristened New Labour (though Brown has dropped the word "new"); it was enough not to be Blair, who left office tainted by the war in Iraq and his sometimes seemingly slavish proximity to US President George W. Bush.

Brown's arrival at 10 Downing Street following his visit to Buckingham Palace was the antithesis to Blair's in 1997. Back then, the bright-eyed and shiny new prime minister waded through a flag-waving throng (many of them dutifully assembled by the Labour Party) to get on with the "new dawn" he had decreed for his country.

But Brown, unlike Blair, doesn't do theatrics well. Brown's new "new dawn" would be about substance over style. He strode to the

microphone planted in the middle of the street, promised to live up to his school motto and "try my utmost," and declared, almost somberly: "Now let the work of change begin."

He turned and, with his wife Sarah, headed for the most famous front door in the world. "Wave! Wave! Wave!" cried the photographers. He complied, barely, and disappeared into his new home.

For all the talk about he has waited for the job for a decade, the new prime minister benefited from the quirky nature of the Blair-Brown transition. In Britain, a change of government usually comes as a result of a general election, and the transfer of power is brutally swift -- taking only a matter of hours. In this case, Blair put a clear time frame on his departure last September and less than two months ago set the actual date.

Blair was severely criticized by the public and the media for the unseemly length of his exit and the panoply that surrounded it, includ-

ing a globetrotting series of farewell appearances at a cost to the government that has yet to be fully tallied.

The American-style transition gave Brown plenty of time to think through his new cabinet. For Brown, it also served, if only accidentally, as a handy contrast to Blair's governance style.

Blair's cabinet reshuffles were often messy. In 1997, he took so long to announce his candidate for secretary of State for Scotland that his critics claimed he had temporarily forgotten about the post.

As a sign of inclusiveness, and to combat the notion that at 56 he's past his prime and not modern enough to guide Britain further into the 21st century, Brown brought a number of young MPs into the cabinet, including two born in 1970 -- James Purnell, secretary of State for culture, media and sport, and Andy Burnham, chief Secretary to the Treasury. A number of men and women from Blair's last cabinet will